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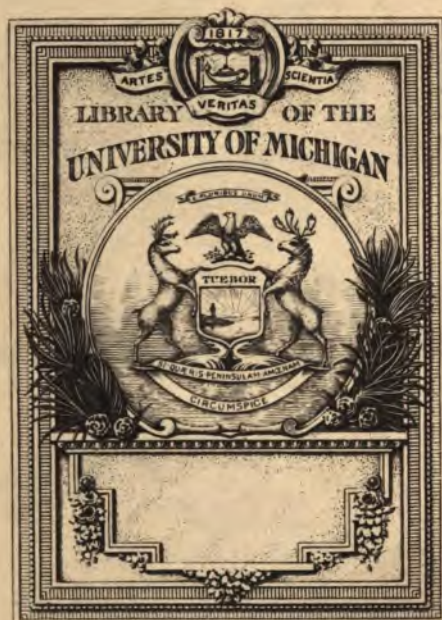
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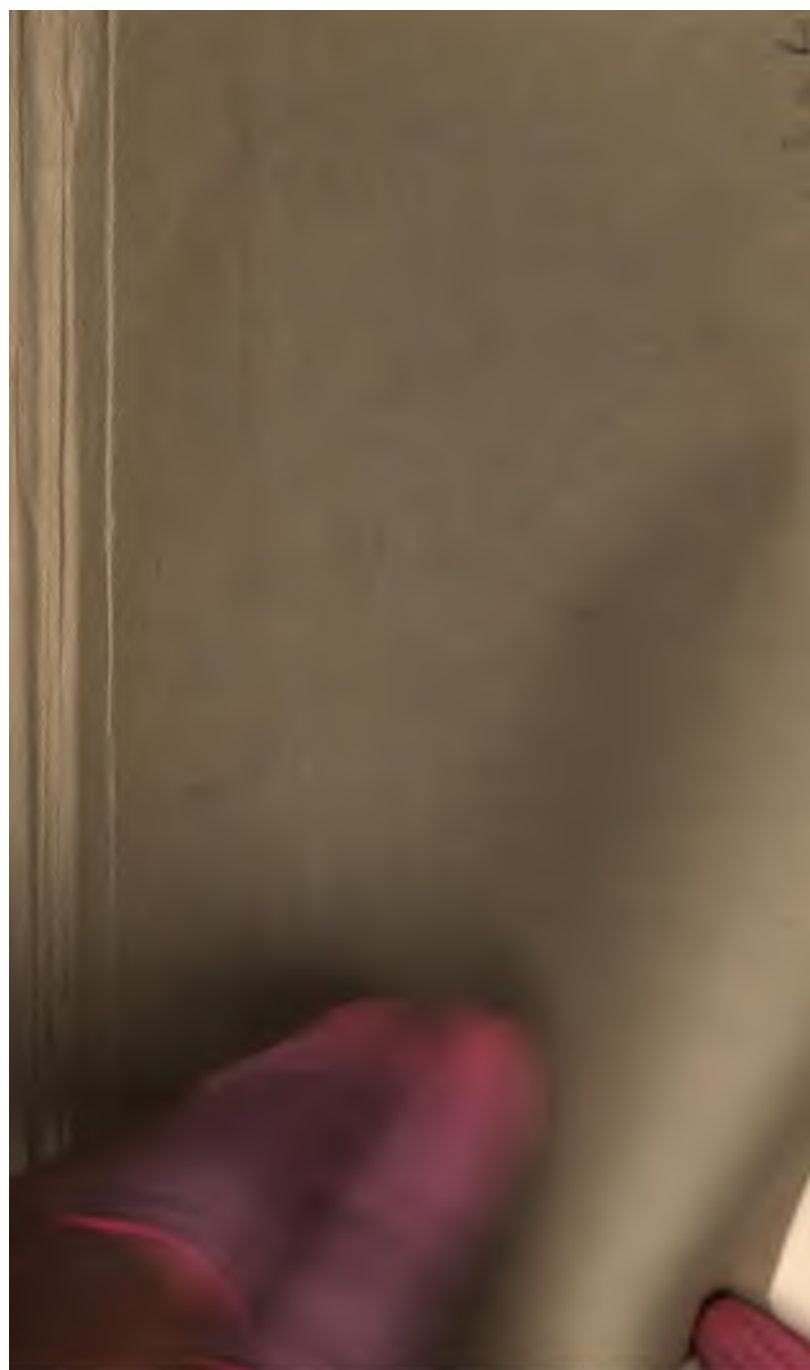
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A GENERAL
COLLECTION
OF

TREATYS, Manifesto's, Con-
tracts of Marriage, Renunciations, and
other Publick Papers, from the Year
1495, to the Year 1712.

VOL. II. Containing,

Treaty for our *Netherland Trade*,
between *Henry VII.* and the
Duke of *Burgundy*.

Treaty between *Queen Elizabeth*
and the *French King*, relating
to *Calais*.

Treaties of *Queen Elizabeth*,
James I. and *Charles I.* for
defense of the *United Provinces*,
and for protecting the Pro-
testants of *France*.

Treaties of Trade and Com-
merce with *France*, *Holland*,
&c.

Contracts of Marriage of *Lewis*
XIII. *Lewis XIV.* &c.

Treaty for restoring *New France*,
Acadia, and *Canada*, to the
English.

Treaty of *Munster* compleated.
The *Gertruydenberg Treaty*, with
the Letters which follow'd up-
on it.

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Electors of *Hannover's Memorial*,
Dutch Memorial about the State
of the War, and Letter to the
Queen.

Cessation of Arms between *Eng-
land* and *France*, 1712.

King *Philip V's Renunciation*;
with many others.

With an INTRODUCTION, giving some Ac-
count of this Work.

THE SECOND EDITION.

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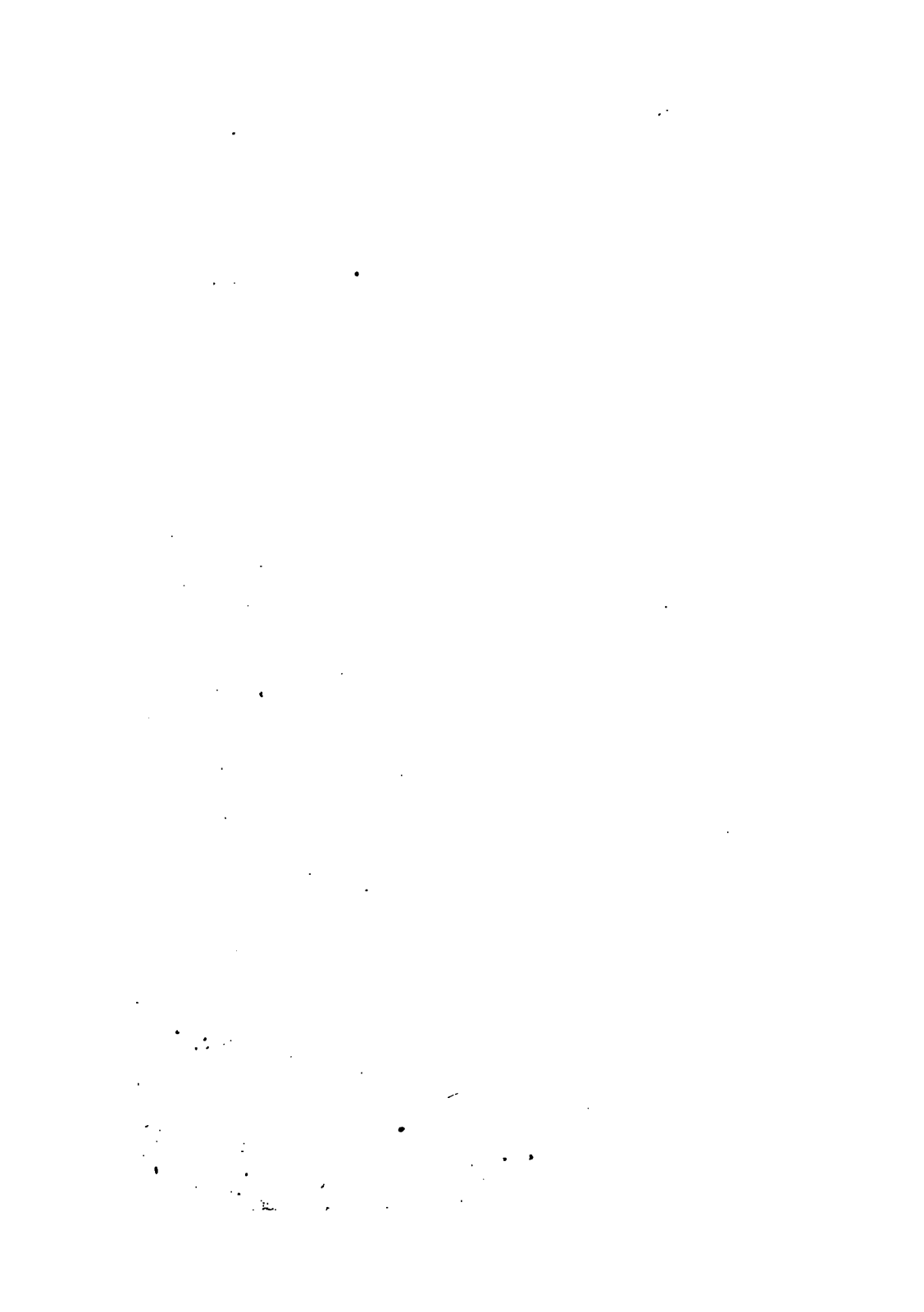
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INTRODUCTION.

EVERY Man, who is vers'd in publick Affairs, will readily own, that the Knowledge of Treaties is one of the best Helps to General History, and one of the surest Guides to direct us in our Judgment of the true Interests of Princes and States, as well as to discover the Justice or Injustice of the Pretensions upon which they make War with one another.

The First Part of this Collection was very well receiv'd by the Publick on that account, because it was the compleatest of its kind that had appear'd in the *English* Tongue, and contain'd such Pieces as were not easily to be met with, except in the large Collections of Treaties publish'd in *France* and *Holland*, which were neither easily to be come at, nor like to be purchas'd, but by those of plentiful Fortunes. It was therefore thought necessary to make this second Collection, to supply what was wanting in the first, and that Gentlemen and others might, with as small Expence of Time and Money as possible, be capable of informing themselves of the most remarkable Treaties which have been made in *Europe* since the year 1495. and especially of those wherein *Great Britain* has been one way or other concern'd.

We shall not here trouble the Reader with a Catalogue of the Treaties, and other publick Pieces contain'd in the following Collection; for that may easily be seen by the running Titles over the Pages, or by the preceding Table.

The first that appears here, is that between *Henry VII.* of *England*, and the Duke of *Burgundy*, concluded in 1495. 'twas then call'd the *Magnus Concurfus*, and is the Concern of every *Englishman* to know, because it laid the Foundation of our Commerce with the *Netherlands*, and is therefore necessary for understanding the present Debates that have happen'd betwixt us and the *Dutch* on that head.

The next Treaties which follow in Order, are those betwixt *Henry VIII.* of *England*, and *Francis I.* of *France*; and betwixt Queen *Elizabeth*, and the French Kings *Henry II.* and *Charles IX.* These are necessary to be understood, that we

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may see how those Great Princes treated the *French*, and were far either from receiving Laws at their hands, or being influenc'd by their Counsels, to the prejudice of their own Dominions. We have particularly an Account of the Treaty between *Henry II. of France* and *Queen Elizabeth*, about restoring the Town of *Calais* with its Dependencies to that Princess, within eight years after the Conclusion of the said Treaty, or to pay her or her Successors 500000 Golden Crowns of the Sun, if the Restitution was not made in the said time. As this Treaty is not commonly known, it may perhaps be worth the Inquiry of our Government some time or other how it has been perform'd. It appears by *Camden's History of Queen Elizabeth*, that when she demanded *Calais*, according to this Treaty, she receiv'd nothing but an illusive and chicaning Answer: But we leave this Point to be consider'd by our Statesmen, when a convenient Opportunity offers.

The Treaties which follow in course of time next after these with *France*, relate to *Holland* and *Spain*, and are sufficient to prove, that it was then the Sense of the *English* Nation, that *Holland* was to be supported and not destroy'd, according to the late Maxim of some raw Politicians, who have had Popeny and Tyranny at Home and Abroad in view, and therefore thought it necessary that the *Dutch* Republick should be taken out of the way, because it is a Barrier against both. These Treaties do at the same time make it evident, that our then Statesmen thought it no difficulty to find a Medium betwixt destroying the *Dutch*, and hindering them from incroaching upon us in point of Trade, or otherwise. But above all 'tis plain, that had they liv'd in our time, they wou'd have been as much for supporting that Republick against the exorbitant Power of *France*, as they were then for maintaining it against the formidable Power of *Spain*, for which even *James I.* made a Treaty with *Henry IV. of France*, as his Glorious Predecessor *Queen Elizabeth* had done before him. And he did actually enter into a Treaty of Guaranty with the *Dutch*, for obliging the Archduke and Archdutchess *Albert* and *Isabella* to keep to their Agreements with them, tho he was under no such necessity of making such a Treaty with that Republick, for the Security of the Protestant Succession to the Crown of *Great Britain*, as we are now. Nor are we to wonder at this, since it was an establish'd Maxim amongst our Ancestors, that the Preservation of the *Netherlands* was necessary for us to secure a Barrier to our selves, against either of the Houses of *Austria* or *Bourbon*, who have so long contended for the Universal Monarchy.

Nay

Nay, even in the Reign of *Charles I.* a League Offensive and Defensive was made *Anno 1625.* betwixt him and the *Dutch*, for Defence of the *United Provinces*, against the Power of *Spain*; therefore 'tis strange that they, who pretend so highly to revere the Memory of that Prince, should find so much fault now with a Barrier-Treaty, for defending the *Netherlands* against the more formidable and dangerous Power of *France*. In the following Collection there are also Treaties, which shew the Care our Governments have taken from time to time about our Commerce with the Houses of *Austria*, *Bourbon*, and the *Dutch*, &c. which are not only necessary for the Information of our Statesmen, but to be consulted by every Patriot, and especially those concern'd in Trade.

Here the curious Reader may also find a large Account of those fatal Marriage-Treaties betwixt *Charles I.* and the Infanta of *Spain*, and afterwards with *Henrietta Maria* of *France*; by which we may see, that the Origin of the Growth of Popery and Arbitrary Power in *Great Britain* is of a much older Date, than the Expulsion of the Royal Family by the Usurpation and Rebellion, to which it is usually, but falsely, ascrib'd by a Set of Men, who can espy a Moat in their Neighbour's Eye, but not the Beam in their own.

It has also been thought fit to add here the Contract of Marriage betwixt *Lewis XIV.* of *France*, and *Donna Maria Teresa* of *Spain*, since it gives a great deal of Light into the present Controversy, and the Causes of the War betwixt the *French King* and the Confederates, and tends much to illustrate the Treaty of the *Pyrenees* contain'd in the first Collection.

For the like reason there is here added the Treaty of *Munster* between *Spain* and *Holland*, and between the Empire and *Sweden*, which was omitted in the former Book, tho absolutely necessary for the full understanding of that Treaty, which has been, and is still like to be of the greatest Consequence to *Europe*.

After all, 'tis not pretended that this Collection is perfect, tho it may justly be said to be the best that has hitherto appear'd in our Language. There remain several important Treaties, even of a late Date, which the Publishers could not now come at, and may make another Collection necessary hereafter. In the mean time, to supply that Defect as much as possible, we shall give a brief Account of such of those Treaties as seem to be most material. And as Religion ought to have the Preference of every thing else, we shall begin with those which relate to the Concern and Guaranty of the Crown of *Great Britain*, for the Preservation of the Protestant Religion

Religion in *France*, as we find them in a Memorial printed at the *Hague* in 1712. in behalf of the *French* Protestants.

This Right of the *English* Crown to protect the Protestants of *France*, is own'd by *French* Popish Authors, as well as by Protestant Authors of our own. 1. The first Instance mention'd in that Memorial is from *Walsingham's* Instructions, Aug. 11. 1570. where *Queen Elizabeth's* words are repeated thus: "We doubt not, says she, but you will consider how much it conduces to our Peace, and that of our Kingdom, that the *French*, who profess the Reform'd Religion, should be maintain'd—Therefore 'tis our Pleasure, that on all occasions, wherein you can contribute towards having the Edict observed, you spare no Labour or Pains."

2. There's a Letter from *Walsingham*, dated from *Paris*, Aug. 21. 1570. to the Chief Secretary of State in *England*, wherein we have these words: "According to her Majesty's Orders, and the Advice of Mr. *Walsingham* the Ambassador, I have signify'd to Mr. *de Cavanes*, one of the Deputies of the Princes (meaning Protestants) that her Majesty sent me hither only for their Interests. They know this already, and I'm inform'd that a Gentleman is come from the *Queen of Navarre*, and other Grandees, which the *French* King knows well enough, to thank her Majesty for the favour she has done them during their Troubles."

3. The Author of *Cardinal Richlieu's* Life, Book II. p. 332. Anno 1627. says, "That most of the *English* Protestants look'd upon the Ruin of *Calvinism* in *France*, as a Forerunner to the Ruin of the Protestant Religion in *England*."

4. The President *Jeannin*, in his Letter to the *French* King, July 23. 1622. to be found in his *Oeuvres Melees*, pag. 235. says, "The King of *Great Britain* dreads the weakening of those of his Religion in the Kingdom of *France*, and for that reason he will use all his good Offices to bring about a Peace."

But to come to the Treaties themselves. 1. The Memorial tells us, That as soon as *Queen Elizabeth* mounted the Throne of *England*, she took upon her the Protection of the Protestants of *France*, who were unjustly persecuted, and contributed all that she could for their Preservation by her Counsels, her Mediation, her Money and her Troops. And we are inform'd by *Mezeray*, in his *Abridgment of the Chronicles of France*, that she engag'd to protect them, by a Treaty made at *Hampton-Court*, Septemb. 20. 1562. 2. *Mezeray* tells us, that in 1568. *Queen Elizabeth's* Minister was one of the Mediators of the Peace, concluded with them at *Longjumeau* near *Paris*. 3. The Memorial tells us, That it was principally by *Queen Elizabeth's* means that *Henry IV.* establish'd the Edict

of *Nantes*. 4. The Memorial informs us, that *K. James I.* continu'd to protect the Protestants of *France*, and that he told the *Marschal de Bouillon*, Ambassador from that Crown in the Regency of *Queen Mary de Medicis*: "If the Queen your Mistress will break the Edicts granted the Protestants of her Kingdom, I would not have her to think that the Alliance which I have made and confirm'd with *France*, shall hinder me from assisting and protecting them." 5. King *James's* Ambassador assisted on his part at the Treaty of *Lou-dun*, made with the Protestants in 1616. And the President de *Gramond*, *Hist. Gall. lib. 2. p. 108.* owns, "That it was by the Mediation of the King of *Great Britain*, that the General Assembly of the Protestants held at *Rochel* accepted the Terms propos'd to them by the Court of *France*; and the Protestants insisted upon it, that the *English* Ambassador should sign the said Treaty as Mediator." 6. In 1621. and 1622. the *English* Ambassador follow'd the Court of *France* at the Sieges of *Montauban* and *Montpellier*, and was Mediator of the Treaty concluded with the Protestants before the latter. 7. *K. Charles I.* was Mediator and Guarantee for the Treaty of Pacification made betwixt the Court of *France*, Feb. 6. 1626. as is own'd by *Bassompierre* in his Embassy to *Switzerland*, and the *Mercurie Francoi*, Tom. XIII. pag. 122. And at that time the *English* Ambassadors gave the Protestants a Declaration under their Hands and Seals, of their Master's Mediation and Guaranty. But the *French* Court having broke this Treaty, King *Charles* sent a Fleet, under the Duke of *Bucks*, to the Relief of *Rochel*; and the Duke begins his Manifesto with a Declaration, that the Kings of *Great Britain* had always concern'd themselves in the Affairs of the Protestants of *France*: That his Master had become Mediator of the last Peace, and made use of his Authority and Threats to bring the Protestants into it on disadvantageous Terms to save the *French* King's Honour, and likewise became Guarantee for his fulfilling it; therefore he could not but in Honour take Arms to revenge himself of the *French* Court, (who had made him an Accomplice in their Treachery) and to vindicate his own Integrity and Zeal for restoring the Protestant Churches of *France*, which he would always prefer to every thing else. And the same was told the Council of *Rochel* by Mr. *Becker*, Secretary to King *Charles I.* who said, That his Master had engag'd his Word for the execution of that Treaty with the *French* King's own Consent, and that he would rather lose the half of his Kingdom, than suffer them to perish. 'Tis also asserted by the Duke of *Rohan*, in several Parts of his Memoirs, that King *Charles I.* was Guarantee of that Treaty. And the Author of that Duke's Life tells us, *K. Charles* promis'd

promis'd to make use of all his Troops, and to come in Person to see that Treaty executed. And the same appears by the Journal of the Siege of *Rochel*. This is prov'd by many other Authorities, for which we refer to the Memoirs, and was own'd by King *Charles I.* himself, and the Lord Keeper *Coventry* in Parliament, when he desir'd their Assistance for a War upon *France*, because of her Breach of that Treaty. 8. King *William III.* of Glorious Memory asserted his Right of Guaranty for the Protestants of *France*. (1.) When the Duke *Schomberg* his General join'd with the Duke of *Savoy* to invade *Dauphine*, the Duke publish'd a Manifesto, by the King's Order, wherein he expresses himself thus: "The Kings of *England* being Guarantees of the Edict of *Nantes*, by the Peace of *Montpellier*, and several other Treaties, the King my Master thinks himself oblig'd to maintain that Guaranty, and to procure the Establishment of that Edict." (2.) King *William*, in the 7th Article of his Instructions to his Plenipotentiaries at the Treaty of *Reswick*, expresses himself thus: "There's another thing which we could not forbear to make known, that touches us very sensibly; 'tis the deplorable Condition of the poor *French* Refugees. This we do not only from a Motive of Christian Charity and Compassion for the Sufferings of an innocent People, who profess the same Religion with us; but as we are more particularly oblig'd thereunto as King of these Realms, by solemn Transactions and Engagements which we find our self oblig'd by betwixt our Royal Grandfather King *Charles I.* of Glorious Memory, towards the Protestants of *France*, and that by the Confession, and with the Good Will and Consent of the most Christian King then reigning; so that it ought not to be thought strange, if we concern our self more than any other Prince or State on this occasion, and on any other that may offer, as in an Affair which more particularly belongs to us. — Our Will is, that when you come to treat of this Affair, you declare your self how sensible we are of their Sufferings, and that 'tis our Desire to join our utmost Efforts with those of other Princes and States who are of the same Religion, and have the same Interest with us to procure their Re-establishment."

Could these particular Treaties above-mention'd be come at, it would not only be much for the Honour of our Nation and Religion, but might be of great use to direct those concern'd in Negotiations, to get the *French* Protestants restor'd to their full Liberties.

There are likewise some late Treaties of great Importance, which the Publishers could not come at; so that all that

that can be done at present, is to give a brief Account of them, as follows, from a Piece intitled, *La France toujours trompeuse dans ses Negotiations*, printed here in 1710. by order of Count *Gallas*, and therefore may be depended upon as authentic,

The first is the Treaty betwixt the Confederates and the King of *Portugal*; in the first Article of which it is stipulated, "That the Emperor, *Great Britain* and the States General, shall unanimously join their Endeavours with the King of *Portugal*, that the most Serene Archduke *Charles*, second Son to his Imperial Majesty, be put in possession of the whole *Spanish* Monarchy, as it was enjoy'd by his Catholick Majesty King *Charles II.*"

The second is a Treaty made by the same Potentates with the Duke of *Savoy*, in the 6th Article of which we have these Expressions, "That her *British* Majesty knowing that the evident and uncontrovertible Right of his Royal Highness to the Succession of the *Spanish* Monarchy, was declar'd by the Will of *Philip IV.* of *Spain* of Glorious Memory, to take place immediately after the House of *Austria*, she specially engages her self, by her own Act and Deed, to maintain his Royal Highness in his entire Right; and promises That she will never consent to any Treaties of Peace or Accommodation, nor ever sign any that may in the least prejudice his said Right; and that she will never suffer any third Prince to be introduc'd or establish'd in any of the Dominions of the said *Spanish* Monarchy, preferably to his Royal Highness."

The Preliminaries of 1709. and the Treaty of *Gertruydenberg* having made a great noise in the World, and being the subject of much Debate, we think it proper to give the following History of that Matter from the said Piece.

The Campaign of 1709. being equally successful to the Allies with those which preceded, it was no sooner finish'd, than *France* had recourse again to her usual Artifices. She solicited that the Negotiations might be renew'd, and accordingly they were resum'd by Letters, on both sides. And the only Subject of this new Negotiation, was to see if the Difficulties which *France* made about the Execution of the 4th and 37th Articles of the Preliminaries, could be remov'd by an Expedient: For the *French* Ministers assur'd the Confederates, that the most Christian King would approve and conform himself to all the other Articles of the Treaty of Preliminaries, if they could once agree about the two Articles above-mention'd.

This new Negotiation being continu'd for some time in writing, the *French* King signify'd his Desire, That he might
be

be allow'd to send some of his Ministers to *Holland*, or that the Allies would be pleas'd to send some Ministers on their part to *France*.

Upon this the Allies being always ready to come into a Peace, chose Monsieur *Pettecum*, the Minister of *Holsheim-Gottorp*, and sent him to *France*, to hear what Expedient the *French King* would propose, with relation to the 4th and 37th Preliminaries; but instead of that, he only brought back an Answer from the Marquis *de Torcy*, that the King of *France* disown'd all the Preliminaries, and demanded a formal Negotiation, or a General Congress for Peace with all the Confederate Ministers. This Demand being so contrary to the *French King's* Promises, and the Expectation of the High Allies, who had always look'd upon that Proposal to be extremely dangerous, and had therefore rejected it oftner than once; the States General were fill'd with so just an Indignation against it, that they publish'd a Proclamation, in substance as follows:

" That they could infer nothing from this way of acting,
 " but that the Enemy was not yet serious in their Pretences
 " to come to a good and secure Peace; That there was no
 " trusting to the Protections of their good Intentions, since
 " the Effects did not answer them, and that their only Design
 " was to raise Jealousies and Discord among the Allies
 " and in their Republick, if possible. In the mean time,
 " since the *French* seem resolv'd to continue the War (as appear'd
 " by all publick and private Advices, and by the Preparations
 " which they made every where with more Zeal and Diligence
 " than ever) it necessarily follow'd, that it would be very
 " unbecoming the Wisdom and Prudence of the State to suffer
 " themselves to be seduc'd by the Enemies loose Assurances
 " of their Inclinations to a Peace, or by the weak Appearances
 " of it; and that they ought in no wise to suffer themselves
 " to be diverted from providing what was necessary to
 " continue and push on the War, in hopes that God would
 " continue his Blessing on the Confederate Arms: That now
 " was the time when the Allies more than ever ought to
 " strengthen one another's hands, and concur in the Prosecution
 " of a War, wherein God Almighty had bless'd the Arms
 " of the State and their High Allies, with such wonderful
 " Success: That to conclude this War to the Glory of the
 " Confederates, and the Welfare of all *Europe*, they must not lose
 " any of the Advantages which they had acquir'd with so much
 " Danger, Expence and Blood. And that for this end it was
 " necessary the Allies should exert their utmost Efforts without
 " any Delay, and lose no time in their Preparations to begin
 " the

“ the Campaign early before the Enemy, and to push them
 “ with Vigour.

As soon as *France* was inform'd of this Proclamation, the
 Marquis *de Torcy* wrote to Monsieur *Pettecum*, as follows :

“ That they very well foresaw that those who did not de-
 “ sire Peace, would not fail, as usual, to accuse *France* of In-
 “ sincerity, and to throw the breaking off the Negotiation
 “ upon her. That to answer the Objection so often re-
 “ peated, would make his Letter as tedious as useless : That
 “ unfortunately the time was too short to be spent in need-
 “ less Arguments ; therefore to abridg the matter, he sent
 “ him in a separate Memorial, the Conditions on which the
 “ King was willing to treat, and those which his Majesty
 “ could not accept in the manner they were demanded of
 “ him, because the Execution of them was not in his power ;
 “ and that it would not be the way to make Peace, for his Ma-
 “ jesty to engage himself to what he could not perform :
 “ That he pray'd Monsieur *Pettecum* to communicate the
 “ said Memorial to the Pensionary, and to demand an An-
 “ swer to it, and that he was of Opinion an Affair of this
 “ Consequence did very well deserve a Conference ; and
 “ that they should admit somebody to come from the King
 “ to treat of this Matter in *Holland*, which he desir'd Mon-
 “ sieur *Pettecum* likewise to demand : That they had printed
 “ at the *Hague* the Answer of the Marquis *de Torcy* to Mon-
 “ sieur *Pettecum*, when he left *Paris*, of which he had receiv'd
 “ a Copy, and that he knew not why they had added at the
 “ end of it the Proposal, which was made him to return, and
 “ adjust the Formalities about the manner of a Congress :
 “ That he had likewise seen some Letters from *Holland*, which
 “ alledg'd Monsieur *Pettecum* to have said, That he was
 “ charg'd, at his Return to the *Hague*, to propose in the
 “ name of the King, some Partition for the King of *Spain* ;
 “ but that he did not believe this, because no such Commis-
 “ sion was given him : yet he was of Opinion that this per-
 “ haps might be the surest Method to remove the Difficulties
 “ as to those Articles which the King could not agree to :
 “ But that after all, this Affair could not be well treated of,
 “ till secret or publick Conferences were agreed on for a
 “ Peace. He concluded with a Wish, that the New Year,
 “ which was then at hand, might be the happy time when
 “ God would inspire Men with more pacifick Thoughts than
 “ they had entertain'd in the preceding years.”

The Memorial which the Marquis *de Torcy* desir'd Mon-
 sieur *Pettecum* to communicate to the Pensionary, and to de-
 mand his Answer, was as follows :

“ First,

“ First, That as to *Spain*, the King would give an authentic Promise to own, immediately after signing the Peace, the Archduke *Charles* of *Austria* to be King of *Spain*, and in general of all the Dominions depending on that Monarchy, both in the Old and New World, except only the Dominions and Countries which were stipulated to be dismember’d from it, for the King of *Portugal* and the Duke of *Savoy*, by virtue of the Treaties which they had made with the Emperor and the Allies ; and also except such Places as the Archduke had engag’d to give to the States General of the *United Netherlands*.

“ The King would likewise promise not only to withdraw all the Succours which he had been able to give to the King his Grandson, but also that henceforward he would send him no Assistance, directly or indirectly, to maintain him on the Throne.

“ And as a Security for the Effect of this Promise, his Majesty would willingly trust the States General with four of his Places in *Flanders*, which he himself should name; to be kept by them till the Affairs of *Spain* were determin’d, as an Hostage or Security for the Performance of his Promise, not to concern himself directly or indirectly with the Affairs of that Monarchy.

“ His Majesty obliges himself further to forbid his Subjects under severe Penalties, to list themselves in the Service of the Catholick King, or to join his Troops; and this shall be so strictly observ’d, that none shall dare to act contrary to the Prohibition.

“ That his Majesty would also consent, that neither the Monarchy of *Spain*, nor any Part of it, should ever be united to the Monarchy of *France* ; and that no Prince of the House of *France* should be capable to reign, or to acquire any thing in the Extent of the *Spanish* Monarchy; by any of the Ways and Means which should be specify’d.

“ That the *Spanish Indies* should be comprehended in all which should be said with relation to the Monarchy of *Spain*, as being a part of it; and that the King would promise, that no Vessel belonging to his Subjects should go to the said *Indies*, either for Trade, or any other Pretence whatsoever.

“ Secondly, As to the Emperor and Empire, the King obliges himself to restore the Town and Citadel of *Strasburg*, in the same Condition as at present : That Fort *Kehl* shall be restor’d in the same manner, with the Artillery specify’d in the 8th Article of the Preliminaries; and the Town of *Strasburg* should be henceforward restor’d to its Prerogatives and Privileges, as an Imperial City,
“ and

“ and enjoy the same as it did before it came under his Majesty's Dominion.

“ That he would consent likewise to restore the Town of *Brisac* to the Emperor, with its Territory, and the Artillery specify'd in the 9th Article of the Preliminaries.

“ That his Majesty would be content with the possession of *Alsace*, according to the literal Meaning of the Treaty of *Westphalia*, and the 10th and 11th Articles of the Preliminaries.

“ That he would leave the Town of *Landau* to the Empire, with liberty to demolish its Fortifications.

“ That, in a word, he would dismantle all the Forts which he has caus'd to be built on the *Rhine* from *Basil* to *Philipsburg*, and which were to be all specify'd.

“ That his Majesty would consent that *Rhinfield* should be put in the hands of the Landgrave of *Hesse Cassel*, and that the fourth Article of the Treaty of *Reswyck* should be discuss'd in the Conferences.

“ That his Majesty would acknowledg the Elector of *Brandenburg* in quality of King of *Prussia*, with a Promise not to disturb him in the possession of *Neuschattel* and *Vallengin*; and that he would also own the ninth Electorate, erected in favour of the Duke of *Hannover*.

“ Thirdly, That as to *England*, the King would acknowledg the Princess *Anne* in quality of Queen of *Great Britain*, and the Order of Succession to that Crown, as the same is settled in the Protestant Line, according to several Acts of Parliament.

“ That his Majesty would yield the Isle of *Newfoundland* to that Crown, and agree about a reciprocal Restitution of all that he possesses in the *Indies*, as well on the part of *France*, as on that of *England*, during the present War.

“ That his Majesty will cause all the Fortifications of *Dunkirk* to be raz'd; and the Harbour to be fill'd up, with a Promise that they shall never more be repair'd.

“ That he would likewise consent to the Design which the King of *England* form'd of leaving *France*, as soon as the Peace should be concluded; provided he has an entire Liberty to retire, and go where he please, and that he enjoy a perfect Security.

“ Fourthly, As to the States General of the *United Provinces*, That the King would yield them for a Barrier all the Places nominat'd in the 22d Article of the Preliminaries, viz. *Furnes*, *Fort Knoque*, *Menin*, *Ypres*, *Lisle*, *Tournay*, *Conde* and *Maubeuge*, with their Dependencies, and on the Conditions specify'd by the said Article.

“ As to such Places in the *Netherlands* as belong also to the King of *Spain*, That the King would withdraw his Troops from the said Places, and cause them to be deliver’d up to the Archduke immediately after signing the Peace.

“ That his Majesty would confirm what he has offer’d to the States General on account of their Commerce, and that the 25th Article of the Preliminaries should be punctually executed.

“ Fifthly, As to the Duke of *Savoy*, That the King would grant the Demands which that Prince’s Allies made for him by the 27th and 28th Articles of the Preliminaries; but that his Majesty demands, on the other hand, that the Electors of *Cologne* and *Bavaria* should be restor’d to their Dominions and Dignities, and their Ministers admitted to the Conferences of Peace, there to defend their Interests.

“ Lastly, That since they were treating of Peace, and not of a Truce, the Time set for the Performance of the Conditions should be according to the common Custom of Treaties, after the Exchange of the Ratifications.

“ That upon this Foundation the King propos’d again to send Plenipotentiaries for a Treaty of Peace, and to take the Opportunity of the Winter for that end, before the opening of the next Campaign.

“ And that if the Offers which his Majesty made were not accepted, he declar’d that he was free from all manner of Engagements, and that there would be no reason to impute to him the Prolongation of a War, which would shed so much more Christian Blood.’

The Allies refus’d to accept the Plan contain’d in this Memorial, because they had no other Security for it but the word of a Prince, who has made himself so potent and so formidable to *Europe*, by breaking his Word as often as he gave it; and because they saw he would have a Peace, and not a Truce; since the former left him more at liberty to violate his Faith, and to support the Duke of *Anjou* upon every favourable occasion. Besides, they perceiv’d there was Fraud in his Proposals: For, 1. This would have continu’d the War betwixt the Allies and the Duke of *Anjou*. 2. That the Conditional Peace he propos’d, was rather a Truce than a Peace. And, 3. That if his Desire for Peace had been sincere, the Truce would have been of no Prejudice to him, except he had broke his Word.

If after the settling of the Treaty of Preliminaries with the Marquis *de Torcy* at the *Hague*, *France* had left things in the same Condition they were then, had she not evacuated

evacuated the Places which her Troops held in *Spain* till after she had sign'd the Preliminary Treaties, and by consequence had she exchange'd the Troops which she had then in *Spain* only with those of the Allies, the Duke of *Anjou* had never been in a Condition to declare, that he neither could nor would leave *Spain*: for in that Case he had been utterly unable to have oppos'd what had been agreed on betwixt the Allies and *France*; and then things might have been much more easily dispos'd towards a General Peace. It was therefore that Change which *France* made in the Affairs of *Spain*, which afterwards occasion'd all those Difficulties with respect to the fourth and thirty seventh Articles of the Preliminaries.

Notwithstanding all those captious and fraudulent Proceedings, the Allies, to convince the World that the hindrance of the Peace proceeded not from them, allow'd the *French King* to send his Ministers to the Frontiers of *Holland*; and were even so modest, that they did not demand his signing all the Preliminary Articles, except the fourth and thirty seventh, as to which they were to agree upon an Expedient, but contented themselves with his Declaration only, that he did accept them.

In answer to this *Lewis XIV.* declar'd, That all the Preliminary Articles, except the fourth and thirty seventh, should subsist: And tho this word came far short of the Term *Accept*, yet the Allies, to shew their Sincerity, did thereupon allow his Ministers to come to the Frontiers of *Holland*; where instead of treating upon this Foundation, according to Agreement, or offering an Expedient for those two Articles, they propos'd what the Allies had so frequently rejected before, That the King of *France* would come into no Preliminary Engagement, but conclude a separate Peace; and that if the Allies would have a General Peace, they must grant the Duke of *Anjou* the Kingdoms of *Naples* and *Sicily*; which if they did, the King of *France* would employ all his good Offices to dispose that Prince to content himself with this Exchange, and to quit *Spain*. This was rejected by the *Dutch* Deputies, because contrary to what the *French King* had formerly agreed to as the Foundation of renewing the Treaty. And the *French* Ministers declaring, that they had nothing else to say, the States Deputies return'd to the *Hague*, where they reported this Conference, and the *French* Ministers sent an Express to their King for new Instructions.

Upon the Return of the Express, they signify'd to the Great Pensionary of *Holland*, that the *French King* thought this Negotiation of too great Importance to be treated of

by Writing, and in a Place so inconvenient as that where they were; and therefore desir'd that they might come to the *Hague*, or some other convenient Place, where they might treat with all the Confederates at once. Tho the States might justly, for the Reasons above-mention'd, have broke off all further treating; yet they sent their Deputies to tell the *French* Ministers, that they could not agree to their Demand; and if they would continue to treat, they must do it where they were, which they had no reason to except against, since they had prefer'd *Gertruydenberg* to *Antwerp*, which was first offer'd them. Upon this the *French* agreed to a second Conference; but instead of treating of an Expedient for the fourth and thirty seventh Articles, they declar'd in a haughty manner, that the Duke of *Anjou* neither could nor would quit *Spain*. The *French* King demanded a particular Peace for himself, without including *Spain*, which he would listen to as soon as the Allies should grant the Duke of *Anjou*, First, either the Kingdoms of *Naples* and *Sicily*: Or, Secondly, the Kingdom of *Aragon*: Or, Thirdly, *Naples*, *Sardinia*, and the Places on the Coast of *Tuscany*: Or, Fourthly, *Sicily*, *Sardinia*, and those Places. And at the same time they insinuated as their own particular Opinion, that this last Partition might be granted to some foreign Prince, whom they did not name, that should exchange his Dominions with the Duke of *Anjou*.

This was also rejected by the States Deputies, who insisted on treating of an Expedient for the fourth and thirty seventh Articles, according to the *French* King's former Agreement; which being refus'd by the *French* Ministers, the Deputies return'd to the *Hague* to report what had pass'd, and the *French* Ministers sent again to their King for new Instructions.

This Conduct of the *French* Court discover'd plainly enough what Game they were acting, and that they demanded a General Congress, that they might have the more opportunity to carry on their Intrigues, and to tie up the Hands of the Allies by a separate Peace with *France*, that they might not make War against *Lewis XIV.* tho he should, contrary to his solemn Promise, assist the Duke of *Anjou*; and their Demand of a Partition was only to divide the Allies, who were so sincere in their Inclinations to a Peace, that upon the return of the *French* Courier, they sent Deputies to enter into a third Conference with the *French* Ministers.

These, instead of treating on an Expedient for the fourth and thirty seventh Articles, were so dilingenuous as to disown that they had propos'd the yielding of *Sicily*, instead of *Naples*, to the Duke of *Anjou*. And when convicted of their Falshood,

Falshood, they said they did it without Orders, but that their Master approv'd their other Proposals; and if the Allies would accept them, he demanded a Guaranty from the Confederates, that they would not break the Truce to be agreed on for the sake of the thirty first and thirty second Preliminaries, by which the Allies had reserv'd a power to themselves to make new Demands. And he likewise judg'd a Mediation necessary to bring things to an Accommodation, which still seem'd to be very remote.

The States Deputies amaz'd at these Novelties, insisted, according to Agreement, that all the Preliminaries should subsist except the fourth and thirty seventh; adding, this was not the way to bring the Negotiation to a happy Conclusion, for the *French* to be continually breaking their Word, and making new Proposals: After which the Deputies return'd to the *Hague*, and the *French* sent off another Courier. By this it appears, that the *French* design'd only an Amusement, and the prolonging of the Treaty, by demanding a Mediation and a Guaranty; for it was already provided by the thirty first Preliminary, that the further Demands to be made by the Allies of the *French King* in the General Treaty, should not break the Truce: Nor was there any need of a Mediation on the part of the Allies, since they had religiously stood to the Preliminaries, and the *French* could mean nothing by it, but to have more room for their Intrigues.

Upon the return of the *French* Courier, the Deputies went a fourth time to confer with those of *France*, whose Insincerity was so visible, that the Allies did not slacken their Care of the War, but took the Field before the Enemy, enter'd their Lines which they thought impregnable, and invested *Doway*. It was suppos'd that this happy opening of the Campaign would have made the *French King* to act with more Faith and Sincerity; but instead of that, his Ministers insisted on a separate Peace, alledging, that it was not in their Master's Power to make the Duke of *Anjou* quit *Spain*, and told the Allies, they were mistaken if they thought the taking of the Lines would make him alter his Mind, for he had ground to hope that *Spain* would quickly make up what he might lose in *Flanders*. To this the Deputies answer'd, That since the *French King* would not keep his Promise as to the rest of the Preliminaries, and treat of an Expedient for the fourth and thirty seventh, they had Orders to tell them that they would return no more to *Gertruydenburg*, till the Ministers of *France* were empower'd to make Proposals more agreeable to the Design of the Negotiation.

This is the Substance of what Count *Gallas* order'd to be publish'd, relating to the Conduct of the *French* Court during the
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the Treaty of *Gertruydenburg* ; and since it agrees with the Resolution of the States General on the 27th of *July*, 1710. which was approv'd by all the Confederates, we cannot doubt the Truth of it. This join'd to the Introduction before the first Volume, brings down the History of the *French* King's Perfidiousness, with relation to publick Treaties, to the time when that at *Utrecht* began ; and for his Conduct since, 'tis fresh in every one's Memory, and may very probably afford Matter towards another Collection. But since there is nothing yet concluded as to a General Peace, 'tis not proper to insist upon the Particulars of that Negotiation here.

A Treaty of Amity and Friendship, and of a Free Intercourse of Trade and Merchandizes, between Henry VII. King of England, and Philip Archduke of Austria, Duke of Burgundy, &c. made on the 24th of February, 1495.

TO all and singular who shall see, hear and look upon these Presents, *Philip of Burgundy, Lord of Bruges, Lieutenant-Governor, Captain-General of Artois, and Admiral; Paul de Bucst, Lord of Formesecle, President of Flanders; Robert de Melun, Lord of Rouny; Daniel de Praet, Lord of Mervele, Chamberlain and chief Bailly of Flanders; John of Courtney; Thomas of Portnair, Counsellor; and Florence Hanwel Secretary in Ordinary, the Ambassadors, Negotiators, Messengers and Commissioners of the most Illustrious Lord the Archduke of Austria, Duke of Burgundy and Brabant, Earl of Flanders, Hainault, Holland and Zeeland,* Greeting.

We make it known, That since no better Gifts can be bestowed on Mortals than the Benefits of Peace; since

always found by long Experience and Reason; is that chief Precept of the Deity, which to the Interest of Mankind; and since it is how many Calamities and Miseries

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arise

arise every where from War, and how many Advantages a certain and stable Peace always brings along with it.

Therefore we being fully appriz'd of the great Benefits and Advantages that have accru'd to the Inhabitants and Subjects of the Lands and Countries of the said Lord the Archduke of *Austria*, as also of the Kingdom of *England*, from the Peace and Amity formerly enter'd into and contracted between the foresaid Princes, have agreed, contracted and concluded, and do by these Presents agree, contract and conclude all and singular the following Articles of Peace, Amity, Intercourse of Merchandizes, and mutual Freedom of Merchants, for the said most Illustrious Prince our Lord, the foresaid Archduke of *Austria*, and his Heirs and Successors, for them, and in their name, by the Authority granted to us by the said Archduke our Prince, by his Letters Patent (the Tenor of which will follow after) with the Reverend Father in Christ *Richard*, Bishop of *Durham*, Keeper of the Privy Seal to the most Illustrious King of *England*; *John Welles*, Viscount of *Welles*; *John Kendall*, Prior of *St. John of Jerusalem's House* in *England*; *William Warham*, Doctor of Laws, Master and Keeper of the Rolls of Chancery to the said Lord the King; *Christopher Worswike*, Archdeacon of *Richmond*; and *John Lesley* Knight, Ambassadors, Negotiators and Commissioners for the underwritten, deputed by the Letters Patent of the foresaid most Illustrious Lord the King of *England*; the Tenor whereof will likewise follow after.

I. It is agreed, accorded and concluded, that from this Day there be a good, sincere, true, entire, perfect and firm Friendship, League, Confederacy, Peace and Union by Sea, Land and fresh Water, to endure perpetually in all future Times, between the said Lords the King and Archduke, and their Heirs and Successors, all their Kingdoms, Countries, Dominions, Lands, Vassals and Subjects whatsoever, present and to come, as well Ecclesiasticks as Seculars, of whatever Degree or Condition they be, even tho they be rais'd to an Archiepiscopal, Ducal, or lesser Dignity, State or Degree; so that the foresaid Vassals and Subjects on both sides shall be oblig'd mutually to favour one another every where, and do one another reciprocal good Offices, and treat one another

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another with sincere and honest Affection ; and they may safely, freely and securely go, as well by Land as by Sea, and fresh Waters, and enter into the said Kingdoms, Countries, Dominions and Lands, Cities, Towns, Places fortify'd and not fortify'd, and all their Ports and Districts whatsoever on both sides, and remain in the same, and go about their Affairs, and there buy and sell Victuals, and all other Necessaries whatsoever without any Contradiction ; and also go, depart and return from the said Kingdoms, Countries, Lands, Cities, Towns, Villages, Ports and Districts, or any of them, to their own Countries, or any other foreign Parts whatsoever, with their hir'd or borrow'd Ships, Waggon, Armour, Merchant-Goods, Packs, Goods, and other Things whatsoever, even as they could do all these things in their own Countries, and as the native Subjects of those Places and Countries could do : So that they shall not want any Passport, nor general or special Licence, nor be oblig'd to ask any Passport or Licence in any of the foresaid Places.

II. It is agreed, &c. That neither of the foresaid Princes, nor none of their Heirs and Successors, shall act, do, treat, or attempt any thing against the other, or his Heirs and Successors, in any Place whatsoever, whether on Land or Sea, in Ports, or fresh Water, upon any occasion ; nor give any Assistance, Counsel, Favour or Assent to any thing's being done, acted, treated or attempted by either of them, or any others whatsoever, to the Hurt, Prejudice or Damage of the other, or his Heirs and Successors ; but shall expressly and effectually contradict, oppose, resist, and really hinder all who shall act, treat or attempt any thing against the other, within his foresaid Kingdoms, Countries, Dominions or Lands, as is specify'd above.

III. It is agreed, &c. That neither, yea none of the foresaid Parties, shall give Assistance, Counsel or Favour to the notorious and known Enemies of the other Party, endeavouring to infest or invade him either by Land, Sea, or fresh Water ; but shall *bona fide* aid and assist one another, with reciprocal military Succours of arm'd Men, at the Expence of the Party demanding Help : In the Performance of which Succours, as to the number of arm'd Men, the Power and Ability of the Party whose

Assistance shall be ask'd and demanded, must be consider'd; so that he shall not be oblig'd to do more than he can then conveniently do, considering the Circumstance of Time and Place, and the State of his Affairs.

IV. It is agreed, &c. That neither of the foresaid Parties shall receive a Rebel or Rebels, Fugitive or Fugitives of the other Prince into his Kingdoms, Countries, Lands or Dominions, Ports or Districts, or any of them; nor give or afford Assistance, Counsel, Favour, Reception, arm'd Men, Ships, Mony or Victuals to them, or any of them, in any Place whatsoever, even without their Kingdoms, Countries, Dominions, Lands, Ports or Districts; nor permit any other or others whatsoever to receive them into their Kingdoms, Countries, Lands, Dominions, Ports or Districts; nor allow Assistance, Counsel, Favour, Reception, arm'd Men, Ships, Mony or Victuals to be given, yielded, afforded or granted to them, or any of them, in any of the foresaid Places, but shall expresse and effectually forbid, oppose and really hinder any such thing.

V. It is agreed, &c. That if either of the foresaid Parties shall, by his Letters, signify and declare to the other, that any one or more of his Rebels, or Fugitives, is or are receiv'd in his Kingdoms, Countries, Lands, Dominions, Ports or Districts, or that they lurk and hold themselves there; then that Party, who receives such Letters, or to whom in this manner it shall be signify'd and declar'd, shall order and command, or cause to be order'd and commanded, such Rebel or Rebels, Fugitive or Fugitives, to depart and go out of his Kingdoms, Countries, Lands and Dominions, or any of them, within a Month, reckoning from the Day of the foresaid Declaration: and if he or they do not depart and go away within fifteen Days after the Day of such Order or Command, he shall be oblig'd to proscribe him or them immediately upon pain of Death, and shall effectually punish, or cause to be punish'd, the Contemner or Contemners of such Proscription or Banishment.

VI. The foresaid Ambassadors, Commissioners, Negotiators and Messengers of the said Lord the Archduke, and for the said Archduke, and in his name, and that of his Heirs and Successors, have openly and expresse promis'd to the Ambassadors, Commissioners, Negotiators and

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and Deputies of the said most Illustrious King of *England*, and stipulating for the said Lord the King, in his name, and that of his Heirs and Successors, That no Rebel to the foresaid most Illustrious King of *England*, or his Heirs or Successors, shall be receiv'd into any Castles, Towns, Villages, Ports, Districts, or any other Places, which the most Illustrious Lady *Margaret*, Relict of the late most Illustrious Lord Duke *Charles*, or any other Person, of any State or Dignity whatsoever, holds or possesses, or may afterwards hold and possess, by any Right, Dowry, or any other Title whatsoever, within the Countries, Dominions and Lands of the said Lord the Archduke, or any of them; nor shall such Rebel be permitted or suffer'd to be receiv'd by her or any other Person; nor shall he permit or suffer Counsel, Assistance or Favour to be given or afforded by the said Lady *Margaret*, or any other Person whatsoever, to any such Rebel, in the foresaid Places, or any other whatsoever, either in Ships, arm'd Men, Mony, Victuals, or any other way whatsoever; but shall forbid and hinder her, or any other Person, openly and expressly from doing this. And if, contrary to this Convention, the said Lady *Margaret*, or any other Person whatsoever, subject to the foresaid Lord the Archduke, shall attempt, or cause any thing to be attempted, then the foresaid Lord the Archduke shall really, effectually, and for ever deprive (after it has appear'd that she or they have attempted any thing against such Convention) and cause to be depriv'd as well the said *Margaret*, as others thus attempting, of all that she or they pretend to have, hold or possess by Right of Dowry, or any other Title, in the Castles, Cities, Towns, Villages, or any other Places aforesaid.

And the Commissioners, Negotiators and Deputies of the most Illustrious King of *England*, stipulating for the said Lord the King, and in his name, and that of his Heirs and Successors, have openly and expressly promis'd to the Ambassadors, Commissioners, &c. of the most Illustrious Lord the Archduke, stipulating for the same Lord the Archduke, and in his name, and that of his Heirs and Successors, That no Rebel to the foresaid most Illustrious Lord the Archduke, or to his Heirs and Successors, shall henceforth be receiv'd into any Castles,

Towns, Villages, Ports, Districts, or any other Places; which the Subjects of the aforesaid Lord the King, of what Dignity or Condition soever they be, have, hold, or possess by any Title whatsoever, within his Kingdoms, Countries or Dominions, or may afterwards have, hold or possess in the same Kingdoms, Countries and Dominions, nor be permitted or suffer'd to be receiv'd by them or any of them; nor shall he permit or suffer Counsel, Assistance or Favour to be given or afforded otherwise by his said Subjects, or any of them, to such Rebel, either in Ships, arm'd Men, Mony, Victuals, or any other way whatsoever; but shall hinder and forbid them, and every one of them, openly and expressly, to do any such thing. And if, contrary to this Convention, the Subjects of the most Illustrious Lord the King shall attempt, or cause any thing to be attempted, then the foresaid Lord the King, after it has appear'd that his said Subject or Subjects have attempted any thing contrary to this Convention, shall really, effectually and perpetually deprive, and cause to be depriv'd, all and singular thus attempting, of all and every thing they pretend to have, hold or possess by any Title whatsoever, in the Castles, Cities, Towns, Villages, and all other Places aforesaid.

VII. It is agreed, &c. That the said most Illustrious Lord the King of *England*, his Heirs and Successors, shall reserve and comprehend the foresaid Lord the Archduke, his Heirs and Successors, if they are willing to be reserv'd and comprehended, in whatsoever Confederacies and Treaties of Amity are henceforth to be contracted by them with any Prince, Community, Society or Person whatsoever.

And in like manner the said most serene Lord the Archduke, his Heirs and Successors, shall reserve and comprehend the foresaid most Illustrious Lord the King of *England*, his Heirs and Successors, if they shall be willing to be reserv'd and comprehended, in all their Confederacies and Treaties of Friendship to be henceforth contracted with any Prince, Community, Society or Person whatsoever.

VIII. That in the present Treaty of Peace and Amity may be comprehended the Allies, Friends and Confederates of both Parties, viz. such as shall be nam'd by the said

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said Princes in their confirmatory Letters of this present Treaty, if they are willing to be comprehended.

IX. It is agreed and concluded, That if, during the foresaid Peace and Amity, any thing shall be attempted, acted or done against the Force and Effect of the same, by Sea, Land, or fresh Water by any of the foresaid Princes, their Heirs or Successors, or their Vassals, Subjects or Allies, or by the Heirs and Successors, Vassals or Subjects of the said Allies comprehended in this Treaty; yet notwithstanding, this Peace and Amity shall remain in their Force and Effect, and the Persons attempting and doing Mischief shall be punish'd for those Attempts, and no others.

X. It is agreed, &c. That all Merchants, as well of the Kingdom of *England*, Dominion of *Ireland*, and Town and Borders of *Calais*, as also the Merchants of the Lands and Countries of *Brabant*, *Flanders*, *Hainault*, *Holland*, *Zeeland*, the Town and Country of *Mechlin*, and other Countries and Dominions of the foresaid Lord the Archduke, as well the Merchants of Wool, Leather, Victuals, as of other Merchandizes whatsoever, as also their Factors, Friends and Servants, may henceforth go and come freely and safely, by Sea or Land, either on Foot or on Horseback, or in any other manner, arm'd or unarm'd (provided they exceed not the number of forty together in a company when they go arm'd) with their Goods and Merchandizes, may exchange and bargain with one another, buy and sell, and make and hold Commerce, as well in Merchandizes of Wool, Leather, Victuals, Arms, Horses, Jewels, as in any other whatsoever, and carry and bring them back, or cause them to be carry'd and brought back, according to their Will and Pleasure, from *Calais* and the Borders thereof, or any other Parts of the Kingdom of *England*, or Dominion of *Ireland*, into *Brabant*, *Flanders*, *Hainault*, *Holland*, *Zeeland* and *Mechlin*, and the other Dominions of the foresaid Lord the Archduke.

And on the other side, from *Brabant*, *Flanders*, *Hainault*, *Holland*, *Zeeland* and *Mechlin*, and the other Dominions of the foresaid Lord the Archduke, to the Town and Borders of *Calais*, and any other Parts of the Kingdom of *England* and Dominion of *Ireland*, without

any Impediment or Prohibition whatsoever to the contrary, and without incurring any Penalty or Fine therefore, and without being challeng'd, accus'd, punish'd or fin'd by the Lords of the foresaid Countries, Lands or Dominions of either side, or their Officers and Justiciaries; always saving the Statutes and Ordinances of Places in every respect.

XI. It is agreed, &c. That all Merchants of the Kingdom of *England*, Dominion of *Ireland*, Town and Coasts of *Calais*, as well Merchants of Wool, Leather, Victuals, Arnis, Horses, Jewels, as of all other Merchandizes whatsoever; as also their Factors, Friends, Managers and Servants, Seamen, Masters of Ships and Mariners, may sail, go, pass and repass by Sea and fresh Water, deal in going and returning, be and remain freely and securely in the Countries, Lands and Dominions of the foresaid Lord the Archduke, and also in the Ports and Coasts under the Authority of the said Lord the Archduke, in his Countries, Lands and Dominions aforesaid, viz. in the Towns where Officers of the Customs, and other Officers of the Archduke are appointed to wait and attend upon the coming in and going out of Ships, Merchants and Merchandizes (and not elsewhere, nor in other Places) with all their foresaid Goods, Merchandizes and Ships whatsoever; and may freely merchandize with the Merchants of the Countries, Lands and Dominions of the foresaid Lord the Archduke, or their Factors, Friends, Managers, Servants; as also with all other Merchants of any other Nation, and their Factors, Friends, Managers and Servants, about any sort of Merchandizes, as well of Victuals as of any other thing; and may buy, have, sell and bargain, and bring, or cause to be brought, either their own or foreign Goods into the Ports and Shores of the Countries, Lands and Dominions of the foresaid Archduke, and safely depart and return from the said Ports and Shores, as often, whenever, and whithersoever they please, with all their Goods, Merchandizes, and Ships whatsoever aforesaid.

And in like manner, the Merchants of the foresaid Countries, Lands and Dominions of the foresaid Lord the Archduke, as well Merchants of Wool, Leather, Victuals, as of other Merchandizes whatsoever; as also

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their

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their Factors, Friends, Managers and Servants, Seamen, Masters of Ships and Mariners; may from henceforth safely and freely sail, go, pass and repass, by Sea or fresh Water, and deal in going and returning, and be in the said Kingdom of *England*, Dominion of *Ireland*, and Town and Coasts of *Calais*, and also in the Ports and Shores thereof, under the Authority of the said King of *England*, viz. They may freely merchandize in the Towns where Officers of the Customs, and other Officers of the King are appointed to wait and attend for and upon the coming in and going out of Ships, Merchants and Merchandizes (and not elsewhere) with all their Goods, Merchandizes and Ships whatsoever, to trade with the Merchants of *England*, *Ireland* and *Calais*, and the Coasts thereof, or with their Factors, Friends, Managers and Servants, in all sorts of Merchandizes, as well of Victuals as of other things; may buy and sell, bargain, and bring, or cause to be brought their own, as well as foreign Goods, into the foresaid Ports of *England*, *Ireland* and *Calais*; and may freely and securely depart and return as often, whensoever and whithersoever they please, from the said Ports or Shores, with their Goods, Merchandizes and Ships, without being challeng'd or fin'd therefore by the Lords of the foresaid Kingdoms, Dominions, Countries or Lands, or by their Officers in any manner; nor shall it be lawful for the said Lords, or their Officers, to do any Damage or Prejudice, or cause any hindrance to the said Merchants by way of seizure, on the occasion of War, Depredations or Attempts made, or to be made, or any other way, for any Cause whatsoever. The Merchants of both the foresaid Parties must however pay for their Things, Goods and Merchandizes, the Duties and Customs that were appointed, paid and usual for these last fifty years. Nevertheless the Princes of both sides may appoint what new Duties and Customs they please in their own Dominions, to be paid by their own Subjects. They may likewise (notwithstanding what has been said above) in case of scarcity of Victuals, or for any other just and reasonable Cause, prohibit and forbid, that no such sort of Victuals, as may seem most necessary for them, be carry'd out of their Dominions.

XII. It is agreed, &c. That the Merchants of both the foresaid Parties, and their Factors, Friends, Managers and Servants, as also the Masters of Ships, Mariners and Seamen, may lawfully bring, carry, and have about them, and upon them in their Ships, Offensive and Defensive Arms and Weapons, of whatsoever sort they please, in order to preserve and defend safely and securely themselves, their Bodies, Goods, Merchandizes and Ships against all Persons whatsoever, as well in their coming and going by Sea or fresh Water, as when they stay in any Port of the foresaid Parts; and may freely and safely bring and carry their Swords, Daggers, Launces and Knives (as often as, wheresoever, and for what reason soever they happen to land) along with them to the Land, and may carry them about them by Land to their Lodging; provided however they put off, and leave their Swords and Launces in their Lodgings, till they return to their Ships.

XIII. It is agreed, &c. That the Merchants of both the foresaid Parties, and their Factors, Friends, Managers and Servants, Seamen, Masters of Ships and Mariners, may freely and safely remain in the Kingdoms, Dominions, Countries and Lands of the foresaid Princes, or either of them; as also in their Ports and Shores, with all their Goods, Ships and Merchandizes whatsoever. But then they must not do nor procure any Damage, Injury or Prejudice to other Merchants of any other Nation, or to their Factors, Managers, Servants, Seamen, Masters of Ships, or Mariners; nor shall the Merchants of other Countries or Nations, their Factors, Managers, Servants, Seamen, Masters of Ships or Mariners do or procure any Damage, Injury or Prejudice in the foresaid Places, to any of the Merchants or Subjects of either of the foresaid Princes.

XIV. It is agreed, &c. That the Fishers of both Parties (of what Condition soever they be) may freely go and sail every where by Sea, and safely fish without any Impediment, Licence or Passport. And if it happen that any of the Fishers of one Party, either by Chance, Storm, Enemies, or any other way, be forc'd to enter into any Port or District of the other Party (paying the Duties and Customs aforesaid in the Places where they come in) they shall be peaceably and amicably re-

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ceiv'd and treated there, and may freely depart and return from those Ports and Places, with their Ships and Goods, without any Hindrance or Impediment whatsoever: provided however those Fishers are not guilty of a Cheat and Fraud, or that they do not occasion Damage to others.

XV. It is agreed, &c. That no Pirates or others, making War by Sea without the Authority of their Princes, shall be receiv'd into any of the Ports or Shores of the foresaid Princes, or any one of them, whether they belong to any of the foresaid Princes, or to any other Nation or no; nor shall they, or any of them, be assisted there, or any where else in the Kingdoms, Countries, Dominions or Lands of the foresaid Princes, by Money, Arms, warlike Instruments, Victuals, or any other thing whatever, in any manner; nor shall they be favour'd upon any pretence whatsoever, on pain of Restitution, and making up of all Damages and Expences done or to be done by such Pirates, and violent Robbers, to the foresaid Subjects, or to any one of them, as well by the Pirates themselves, if they are taken and able to pay, as by their Harbourers, Favourers and Assistors. Which Pirates and Plunderers, and their Favourers and Assistors shall be forc'd hereto, by a precise and summary Trial, by the Officer or Justiciary of those Places or Districts where such things happen'd: And if these Losses and Expences cannot be otherwise prov'd, it shall be refer'd to the Oath of the Sufferers of such Damages: And if it happens that such Pirates and Robbers, or their Favourers and Assistors, are convicted of Piracy, Robbery, Favour or Assistance, as is specify'd above, then such Pirates, Plunderers, their Favourers and Assistors shall make up and restore the Damages and Expences to the Parties aggriev'd; and if they shall effectually refuse to make Restitution within four days next and immediately following the day in which they were convicted of such Piracy, Robbery, Favour and Assistance, then such Pirates, Robbers, Favourers and Assistors shall be compel'd and forc'd by the Officers of the Places and Districts to make Restitution of double the Damages and Expences of the Party injur'd.

XVI. It is agreed, &c. That if any Goods of the Merchants or Subjects of one or the other of the foresaid

the Pirates shall be taken upon Sea by any Pirates, or others making War, and be brought into any Port of either of the foresaid Parties, the Goods so taken and taken up by Pirates, or any others whatsoever, shall not be sold there, sold or aliened. And if notwithstanding they be put ashore, and there sold or aliened, their Goods, or the true Value of them, shall be restored by the Officers of the Places, to such as were robbed and suffered the Damage, together with the Damage sustained in this manner from the Robbers; which Value and Damages (the Robbery it self being first evidently made out) will appear by the Oath of the Injur'd Party, if it cannot be otherwise prov'd; for the making of which Restitutions, the Officers of the Place and others, whom the said Princes shall depute in their Towns and Ports, shall have special Commissions requisite in such Cases, which shall fully contain this Article word for word. By which means the foresaid Officers shall be bound to make such Restitutions, on pain of recovering from them the true and just Value of such Piracies and Robberies, together with the foresaid Damages and Interest to the Injur'd. There shall be moreover penal Prohibitions, by a publick Edict, in all the Ports and Shores of both the foresaid Parties, That no Person, of whatever Nation or Condition he be, presume to buy, or receive, under any other Title, such Goods taken or plunder'd by Pirates, or others making War, as is specify'd above, and brought to land, or found within the Port, in prejudice, hurt or damage of the Injur'd and Sustainers of such Damage, or of any others having Interest therein; and that the Officers of Places, as often as occasion offers, shall put under safe Arrest and close Custody such Ship, Master and Mariners of the same, and also all the Goods and Merchandizes whatsoever found in that Ship, to be kept for the Benefit of such as sustain'd the Damage, and others who shall have an Interest therein, on pain of restoring and recovering from them all Goods and Merchandizes thus taken and brought into any Port of the foresaid Parties, together with Damages and Interest; and the same Officers of Places shall proceed to the Correction of the Pirates and Delinquents found in the Ship, according to the Exigency of the Case.

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XVII. To the end that taking of Ships, Persons and Goods of one Party by the other may henceforth cease, it is agreed and concluded, That whenever any Ship of any Native of either of the foresaid Parties is to go out of any Port or District of the foresaid Princes, or of either of them, the Mayors and Governors of the City, Town or Village to which this Port or District is adjacent (under what Names, Offices or Appellations soever the said Governors go) shall take sufficient Securities from and for the Masters, Possessors, Proprietors, Purfers and Victuallers of such Ship, to double the Value of the Ship, and of the Tackling and Stores of the same; that the Master of the said Ship, the Captains and Mariners, and every one in that Ship, of whatever State and Condition they be, shall keep the Peace towards all the Subjects of the foresaid Princes, and that they shall not presume to do, or cause to do, any Injury or Violence to them either on Land, Sea, fresh Water, or in any Port. That if they will not give in such Security, they shall not permit, but exprelly hinder, the Merchants and Governors of such Ships to go out by any means, unless the Proprietors or Purfers of the said Ship produce the Licence of the King or Archduke respectively under their Great Seal. In which case, if the said Persons thus licens'd by their Prince shall rob, or injure the Subjects of the other Prince, and shall not be able to make Restitution, then full and ample Satisfaction shall be made to the Parties thus injur'd by the said Prince thus licencing. And as often as the said Mayors and Governors of Cities, Towns and Villages of either Party, shall require the foresaid Security, they shall give authentick Letters, under their common Seal, to the Proprietors, Possessors, Masters or Purfers of that Ship thus giving Security, testifying the Performance of the said Security; to the end that, in virtue of these Letters, such Ship may freely go to other Ports, without performing of a new Security.

XVIII. Because the Ships frequenting the Sea are oblig'd to furnish and assist one another with Victuals and other Necessaries of a Ship, which yet they are oblig'd to do only for a just Price; it is agreed and concluded, That from henceforth those who shall receive Victuals, or other Necessaries from any Ship, shall be oblig'd to pay

pay the Price thereof either presently, or after they come to Shoar.

XIX. It is agreed, &c. That if any Ship shall be taken in any Port, or within the Liberties of either of the foresaid Princes, by any Person not subject to the foresaid Princes; that Prince, in whose Port or Liberties that Ship is taken, shall be bound, together with the other Prince, to sue for the Restitution of the said Ship, but at the Cost and Expence of the Party injur'd.

XX. It is agreed, &c. That no Impediment shall be given by one Party or the other, to such as come from the Eastern Parts, and Enemies to neither Party, with any sort of Vessels or Ships, loaden with Victuals, Merchandizes or other Goods, to the Kingdoms, Countries, Dominions or Lands of one or other of the foresaid Princes.

XXI. It is agreed, &c. That as often as any Ships whatsoever of either of the foresaid Parties shall happen to be driven into any Port of one or other of the foresaid Parties, either by Storm, the Enemy, or any other Cause; the Ships of that Party to which such things happen'd, shall be safely receiv'd into the Ports of the other Party, with the Merchants, Seamen and Mariners, and all other Persons not probably suspected that are in the said Ships; and they shall have liberty to go out of the said Ports with their Goods and Merchandizes, without Opposition or Impediment; provided that the Goods and Merchandizes that shall be in the said Ships, be not put ashore, or into other Ships, unless upon urgent necessity, without the licence of the Officers of the Prince of that Party to which such things happen'd, or of others impower'd thereto.

XXII. It is agreed, &c. That the Seamen, Masters of Ships and Mariners, Subjects of the foresaid Princes, may freely lay up their Ships, whether they be Ships of Burden or Ships of War, after coming into the Ports of either of the foresaid Princes, in the same manner as their own native Subjects may do, provided they have not gone a pirating.

XXIII. It is agreed, &c. That the Subjects of one of the foresaid Princes, whether they be Merchants or Seamen, Masters of Ships or Mariners, shall not bring, or cause to be brought by Sea, fraudulently, or under any other

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other colour, any Goods or Merchandizes of the Enemies of the other of the foresaid Princes: And if they do otherwise, and be call'd to account thereupon by the Subjects of the other Prince lawfully making War, they shall be oblig'd to make a true, plain and just Confession and Declaration, which shall be sufficient for that time; and the said Persons calling to account, shall make no further Inquiry into the matter: But if the Person call'd to account shall afterwards appear to have made a false Answer, then the said Person call'd to account shall be oblig'd to give so much out of his own to the Person calling him to account, whom he has defrauded by a false Answer, as the Merchandizes of the Enemy by him thus carry'd and conceal'd shall appear to be worth.

XXIV. It is agreed, &c. That as often as it shall happen that any Ship of one of the foresaid Parties, laden with Goods and Merchandizes, by Chance, Storm or any other way, shall run aground, and suffer shipwreck, be in danger, or perish any other way whatsoever, near the Ports, Borders or Coasts, or in the Ports, Borders or Coasts of the other Prince, altho there remain not in the said Ship either living Man, Woman, Child, Cat, Dog or Cock; yet all the Goods and Merchandizes whatsoever that shall come to Land, or shall happen to be sav'd or recover'd any other way, shall not therefore be confiscated, or look'd upon as confiscated; but shall be put under safe and sure Custody by the Officers of the Places in which this happen'd, and shall so remain for a year and a day next and immediately following: and if within that Term any body comes and makes it appear that he is the true Proprietor of the said Goods and Merchandizes, these same Goods and Merchandizes shall be fully restor'd to him, without any Difficulty or Delay: Paying however to those, by whose Pains and Diligence these Merchandizes and Goods were sav'd, recover'd and kept, reasonable Expences, and a competent Reward to the Keepers, as Reason and Equity shall require.

XXV. It is agreed, &c. That the Merchants, who are Subjects of either of the foresaid Princes, shall be allow'd to have and hold, in the Cities and Towns of the other Prince, Houses and Habitations for themselves and their Merchandizes, in receiving, keeping and exposing them; and shall there use and enjoy the same Liberties, Privi-

Privileges and Franchises which they us'd and enjoy'd for these fifty years last past, and shall be as kindly and amicably treated in the same, as other Nations frequenting the said Countries and Towns.

XXVI. That the Officers of the foresaid Princes, or of either of them, appointed to search Merchandizes, carry'd, or to be carry'd, by Sea, Land, or fresh Water, shall not, when they view the Merchandizes and Ships, damnify any of the Goods or Merchandizes of the Subjects of one or other of the foresaid Princes; but shall handle them well and honestly, and view them without violence, and without breaking the Barrels, Sacks, Chests, Bundles, or any other sort of Packs, with Daggers, or any other sort of Instruments whatsoever; and the Contraveners shall suffer Imprisonment for the space of one month together

of the injur'd Party. But whoever breaks, opens or unlooses such Barrels, Sacks, Chests, Bundles and other Packs, without a reasonable and justifiable Cause, shall be oblig'd to mend, repair and repack such Barrels, Sacks, Chests, Bundles and Packs at his own Charge and Expence. Nor shall the foresaid Searchers, in executing their Office in the Countries of the foresaid Parties, exact any thing from such whose Goods and Merchandizes are search'd; nor shall they force them to sell any of their Merchandizes, or any part of them, for any Price set by the said Searchers against the will of the Sellers.

XXVII. It is agreed and concluded, That as often as the Merchants and Subjects of the foresaid most Illustrious King of *England* shall convene their Debtors in the Lands, Countries and Dominions of the said Lord the Archduke, before Judges and Lawyers hereto appointed and deputed for payment of Debts; and shall alledge, that they suspect their Debtors will run away, and shall for this cause petition that their Debtors may be immediately brought to Trial; then those Judges and Lawyers, thus requir'd, shall, without any Difficulty or Delay, admit the Evidences of the said Subjects of *England*, if they shall offer any, to make out the suspicion of thus running away; and if they have no Evidences, then the Oath of the foresaid Subjects of *England*, as to the suspicion of their Debtors running away, shall be sufficient;

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sufficient; but then they must give in sufficient Bail for paying the Expences and Charge of such as they shall thus ask to be brought to Trial, in case it appears in the Event, that this Suit was unjustly begun and enter'd into. This done, the Debtors shall, without any other warning, be immediately put under Arrest, till they give in sufficient Security that Judgment shall be stopt, and the Debt under Trial shall be paid; the Privileges, as to the Effect of the present Article, granted, or to be granted, on the contrary, under any Form of words whatsoever, to Cities, Towns, Castles, Villages or Burghs, or any Use or Custom whatsoever notwithstanding: to which Debtors, however so arrested, or remaining under Arrest, shall be given the Term of eight Days, if they demand it, to prove that they are not suspected of running away; and this being prov'd, the Arrest shall cease: but nevertheless the Process for the principal Debt shall not in any manner be retarded, on the account of this Delay of eight days.

And the same Justice shall be administer'd in the Kingdom of *England* to the Merchants and Subjects of the Countries, Lands and Dominions of the foresaid Lord the Archduke, towards their Debtors (in three Courts, *viz.* the Court of Chancery, the Constables Court, and the Court of Parliament) even upon all Obligations made beyond Sea, and in *Flanders* Mony; the Discharge or Payment of which is confin'd to any Place in the Countries, Lands and Dominions of the said Archduke, provided the day of Payment be expir'd, notwithstanding any Ordinances or Customs of the Cities, Towns or Places of *England* to the contrary: in which Courts the Debtors of *England* shall be peremptorily proceeded against, so that they may not decline them, or any of them.

XXVIII. It is agreed and concluded, That whenever it shall happen that the Subjects of the Lord the King of *England* shall be any way hurt or injur'd by the Subjects of the foresaid Lord the Archduke, or the Subjects of the said Lord the Archduke, by the Subjects of the said Lord the King of *England*; those who have done no Injury shall not therefore be liable for any Claims of the Injur'd, or be arrested any other way in their Persons or Goods, or be any way hinder'd or molested: nor

must War be levy'd or made therefore, by Letters of Reprisal, Mark or Countermark, or any other Orders or Commissions whatsoever, without due warning and summoning first taking place; but the Princes of one and the other Party shall duly repair the said Attempts and Damages, and place them in their former State; and such Letters of Reprisals, Mark and Countermark (unless warning as to the said Parties, and summoning as to the Princes have been legally made and gone before) shall henceforth entirely cease; and if they be otherwise granted, they shall be accounted null and void.

XXIX. It is agreed and concluded, That all and singular the Letters of Reprisals, Mark and Countermark, already granted or issu'd out of the Chancery, or any other Court of the foresaid Princes, or their Predecessors, for the Prosecution of any Person, or for any Cause whatsoever, shall be suspended; nor shall it be lawful to put any of them in execution, unless it shall be otherwise ordain'd, upon their Merit, at a Trial held in a Diet specially deputed for this purpose by the said Princes. And in like manner all and singular the Depredations and Piracies upon Sea, shall also be suspended on both sides, that were committed before the 13th day of *October* last past; nor shall it be lawful to commence or admit an Action upon them, or any of them, or to give Letters of Reprisals, unless it shall be otherwise ordain'd upon their Merits, at a Trial held in the said Diet, to be specially deputed by the said Princes for this end.

XXX. It is concluded and agreed, That it be sufficiently provided by the Authority of the said Lord the Archduke, or by his Orders and Command, or any other valid and effectual way, that as often as the Merchants or Subjects of the King of *England*, shall either thro Ignorance, or any other way, without Deceit or bad Intention, happen to enter into the Gate of the Castle of *Sluys*, the Captain of the said Castle of *Sluys* shall treat them with all Civility and Decency, and without requiring any thing of them on that account.

XXXI. It shall be lawful for the Merchants and Subjects of the King of *England* henceforth to bring, or cause to be brought, freely and impunely, any Masses or Quantities of Silver or Gold, call'd *Bullion*, out of the

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the Countries of the said most illustrious Lord the Archduke, bought or otherwise acquir'd, or to be bought or otherwise acquir'd by them, or their Deputies and Factors, thro any Places of the said Lord the Archduke's Countries, and to bring and transport it from those Places and Countries into the Kingdom of *England*, as often as they please; provided the said *English*, or their Factors, produce and show the said Bullion thus bought or acquir'd by themselves or their Factors, together with an authentick Certificate from the City or Town where they bought or otherwise purchas'd this Bullion, of its being bought or acquir'd, and of the quantity of it, to the principal Officer of the said Lord the Archduke, or in his Absence to his Deputies, in the first Town after their entring into the Country of the said Lord the Archduke; upon which the Persons showing shall receive and have a Testimonial or Certificate, sign'd by the hand of the said Officer, or, in his Absence, by that of his Deputy, or seal'd with his Seal: nor shall such Persons be oblig'd to pay any thing for the said Testimonial, or upon any other account, but a *Flemish* Shilling. And in case the Merchants and Subjects of the Kingdom of *England* shall carry out such Bullion, either by themselves or their Factors, and in their Departure from
shall not exhibite the foresaid Testimonial or Certificate, then they shall incur the same Penalty that those do who carry out Bullion bought within the Countries of the said Lord the Archduke; and the same thing shall be permitted to the Subjects of the said Archduke in *England*.

XXXII. It is agreed and concluded, That all Merchants and Subjects of the foresaid Princes, shall from henceforth use the true, publick and legal Weight, formerly in use in these Countries and Lands, without any Guile, Deceit or Trick. And if any Merchants or Subjects of the foresaid Princes shall presume to do otherwise, the Prince, whose Subject attempts to do this, shall do ready Justice to the Subject of the other Prince, who shall prove that he is wrong'd by this Weight; and shall compel the Party doing the Wrong to make ample and perfect Satisfaction and Restitution of all Damages, Expences and Interest, without any delay.

XXXIII. It is agreed and concluded, That in order to settle and compose Differences, Discords and Complaints between the Merchants of the Staple of *Calais*, and the Subjects of the Lord the Archduke concerning the Staple, the Deputies of the Merchants of both sides shall meet in the Town of *Calais* on the 22d day of *May* next; and in case they cannot settle and compose such Differences, Discords and Quarrels, the matter shall be laid before the foresaid Princes, who shall take care of settling those Differences, Discords and Quarrels, according to Reason and Equity.

XXXIV. It is agreed and concluded, That if, during the foresaid Peace and Amity, any thing shall be attempted, acted or done contrary to the Force and Effect of the same, by Land, Sea, or fresh Water, by any of the said Princes, or their Heirs and Successors, or their Vassals, Subjects or Allies, or by the Heirs and Successors, Subjects or Vassals of the said Allies, comprehended in this Treaty of Amity; yet notwithstanding, this Peace and Amity shall remain in their Force and Effect, and the Persons attempting and doing Damage, and no others, shall be punish'd for the said Attempts and Damages.

XXXV. For the more secure and firm Observance of this Amity, as well as of the Intercourse of Merchandizes, the foresaid Lord the King, by his Letters, shall give a special Commission to the most Reverend Father in Christ, *John*, Cardinal and Archbishop of *Canterbury*, and Legate of the Apostolical See; the Reverend Fathers in Christ *Richard* Bishop of *Durham*, Keeper of the Privy Seal; *Thomas*, Bishop of *Winchester*; *John Dinham*, Lord of *Dyemham*, Treasurer of *England*; *Thomas*, Marquis of *Dorset*; *John Vere*, Earl of *Oxford*, Great Chamberlain and Admiral; *Edmund*, Earl of *Suffolk*; *Thomas*, Earl of *Arundel*; *Thomas*, Earl of *Derby*; *George*, Earl of *Shrewsbury*; *John Welles*, Viscount; *Giles Dabne*, Lord *Dabne*; *John*, Prior of *St. John of Jerusalem's House in England*; as also to the Mayors and Aldermen of the Cities and Towns of *London*, *York*, *Bristol*, *Winchester*, *Canterbury*, *Rochester*, *Southampton*, *Sandwich*, *Dover*, *Lynn*, *Dartmouth*, *Plymouth*, *Hull*, *Winchelsea*, *Boston*, *Tarmouth* and *Berwick*,
that

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that they and every one of them shall oblige themselves in the following Form :

To all faithful Christians who shall look upon, see or hear these Presents ; John, Cardinal and Archbishop of Canterbury ; Richard, Bishop of Durham ; Thomas, Bishop of Winchester ; John Dinham ; Thomas, Marquis of Dorset ; John Vere, Earl of Oxford ; Edmund, Earl of Suffolk ; Thomas, Earl of Arundel ; Thomas, Earl of Derby ; George, Earl of Shrewsbury ; John Welles, Viscount ; Giles Dabne ; John, Prior of St. John of Jerusalem's House in England ; as also the Mayors and Aldermen of the Cities and Towns of London, York, Bristol, Winchester, Canterbury, Rochester, Southampton, Sandwich, Dover, Lynn, Dartmouth, Plymouth, Hull, Winchelsea, Boston, Yarmouth and Berwick, Eternal Greeting in the Lord

WHereas certain Treaties and Covenants of Friendship, Amity, Intercourse of Merchandizes, and Freedom of Merchants, between the most illustrious Prince *Henry*, by the Grace of God King of *England*, and Lord of *Ireland* on the one side, and the most serene Prince *Philip*; by the same Grace, Archduke of *Austria*, Duke of *Burgundy*, &c. on the other side, and likewise other Treaties between the same Princes, relating to the Advantage and Interest of the Subjects of their Kingdoms and Countries, have been begun, agreed, concluded and finally determin'd at *London*, on the 24th day of *February*, 1495.

Which Treaties of Amity and Intercourse of Merchandizes we have seen and understood, and will have inserted here.

Know ye therefore, That we the foresaid *John*, Cardinal and Archbishop ; *Richard*, Bishop of *Durham* ; *Thomas*, Bishop of *Winchester* ; *John Dinham* ; *John Vere*, Earl of *Oxford* ; *Edmund*, Earl of *Suffolk* ; *Thomas*, Earl of *Arundel* ; *Thomas*, Earl of *Derby* ; *George*, Earl of *Shrewsbury* ; *John*, *Giles*, *John* ; the Mayors and Aldermen of the foresaid Cities and Towns, at the Request and Command of the foresaid Lord the King, and on the sight of his Letters directed and deliver'd to us, which shall be inserted here, have *bona fide* promis'd

and oblig'd our selves, and every one of us, our Heirs and Successors, to the foresaid most Illustrious Prince *Philip*, Archduke of *Austria*, Duke of *Burgundy*, &c. and to his Heirs and Successors, on the Pledg and Obligation of all our Goods present and to come; and do by these Presents promise and oblige our selves, that we shall effectually procure, urge and effect, that the said Lord the King, his Heirs and Successors, shall fully and faithfully hold, observe and fulfil all and every thing contain'd in the Treaty of Amity and Intercourse of Merchandizes, and all and every thing specify'd in the same, and cause them to be fully and faithfully held, observ'd and fulfil'd by all his Subjects and Vassals, as far as they concern them, or may concern them for the future, and shall administer, and cause to be administer'd Justice upon the Contraveners.

In Testimony whereof, &c.

And in like manner the most Illustrious Lord the Archduke, by his Letters, shall give a special Commission to the Reverend Father in Christ, *Henry de Bergbes*, Bishop of *Cambray*; *Charles de Croy*, Prince of *Engelberte*, Count of *Nassau*; *Philip de Cleves*, Lord of *Ravestain*; *Philip* of *Burgundy*, Lord of *Beures*; *John*, Lord of *Bergbes*; *John*, Lord of *Egmond*, Governor of *Holland*; *William de Croy*, Lord of *Chierne*; *Anthony Rollin*, Lord of *Aymerce*; *Baldwin de Cannes*, Lord of *Molenbais*; *Francis de Busleid*, Governor of *Leige*, &c. and *John de Tuiteville*, Governor of *Bruges*; as also to the Burgomasters of the Cities or Towns of *Ghent*, *Bruges*, *Ipres*, *Dunkirk*, *Newport*, *Antwerp*, *Bergbes*, *Dort*, *Delft*, *Leyden*, *Amsterdam*, *Middleburgh*, *Zierzee*, *Vere*, *Malines* and the *Brill*, that they, and every one of them, shall oblige themselves, according to the Force, Form and Effect of the foresaid Obligation, only *mutatis mutandis*.

All and every one of which Obligations, conceiv'd in the foresaid manner and form, the said most Illustrious King of *England* shall give and deliver, or cause to be given and deliver'd, to the Deputy or Deputies of the said Lord the Archduke, in the Church of the blessed Virgin *Mary* at *Calais*, on the 15th day of *May* next.

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And in like manner the foresaid most Illustrious Archduke shall give and deliver, or cause to be given and deliver'd, Obligations conceiv'd in the manner and form above specify'd, to the Deputy or Deputies of the said Lord the King, in the foresaid Church, on the 15th day of *May* next.

XXXVI. It is agreed and concluded, That the most serene Prince the King of *England*, shall ratify and confirm all and singular the Contents of this Treaty of Amity, and Intercourse of Merchandizes, thus begun and agreed between him, and his Heirs and Successors, and the most Illustrious Lord the Archduke, his Heirs and Successors, by his Letters Patent, seal'd with his Great Seal, and subscrib'd with his own Hand; and shall give and deliver, or cause to be given and deliver'd, to the Deputy of the said Lord the Archduke, all and every thing thus seal'd, subscrib'd, ratify'd and confirm'd, on the 15th day of *May* next, after the date of these Presents, in the Church of the blessed Virgin in *Calais*.

And in like manner the most Illustrious Lord the Archduke shall give and deliver, or cause to be given and deliver'd, to the Deputy or Deputies of the most serene King of *England*, all and singular the Articles of Amity and Intercourse of Merchandizes, thus begun and agreed between him, his Heirs and Successors, and the foresaid most serene King of *England*, his Heirs and Successors, by his Letters Patent, seal'd with his Great Seal, and subscrib'd, ratify'd and confirm'd with his own Hand, on the 15th day of *May* next after the date of these Presents, in the Church of the blessed Virgin *Mary* in *Calais*.

Here follow the Tenors of the Commissions above-mention'd.

Henry, by the Grace of God, King of England and France, and Lord of Ireland: To all to whom these Presents shall come, Greeting.

BEING very well satisfy'd of the Fidelity, Industry and provident Circumspection of our Beloved and Faithful Counsellors, the Reverend Father in God, *Richard*, Bishop of *Durham*, Keeper of our Privy Seal;

John, Viscount of *Welles*; and *John Kendale*, Prior of *St. John of Jerusalem's House in England*; as also our Beloved and Faithful *William Warham*, Doctor of Laws, and Master and Keeper of the Rolls of our Chancery; *Christopher Ursewike*, Archdeacon of *Richmond*; and *John Risely*, Knight.

We assign, make, appoint, ordain, and depute them, by these Presents, our true and undoubted Commissioners, Ambassadors, Negotiators, Agents and Deputies; giving and granting to them full Power and Authority, and a general and special Commission, in our Name, and for us, and all our Kingdoms, Lands, Dominions, Subjects, Vassals, Friends, Allies, Well-wishers and Adherents whatsoever, of conferring, treating and agreeing with the noble *Philip*, Lord of *Beures*, Lieutenant-Governor and Captain-General of *Artois*, and Admiral; and our Beloved *Paul de Baeuf*, Lord of *Formesecte*, President of *Flanders*; *Robert de Melun*, Lord of *Roumy*, Chamberlain; *Daniel*, Lord of *Praet* and *Mervele*, Chamberlain and chief Bailly of *Flanders*; *John de Corteville*, and *Thomas Portimar* Counsellors; and *Florentius Harwell*, Secretary of the Ordnance, Ambassadors, Procurators, Commissioners and Messengers from the most Illustrious Prince our most dear Cousin *Philip*, Archduke of *Austria*, *Burgundy*, &c. having sufficient Power from our said Cousin to treat, confer and agree about and upon a true, firm and real Peace, Friendship and Concord; as also upon Leagues, Amities, Confederacies, Truces, Cessation of Arms, Covenants, Affinities, and about all sorts of Commerce, and the exercise of Commerce, and a mutual and amicable Intercourse of Merchandizes to be enter'd into, taken, covenanted, agreed, solemniz'd, compos'd, concluded and had between us, our Heirs and Successors, our Kingdoms, Lands, Dominions, Countries and Places whatsoever, and the said most Illustrious Prince our Cousin, his Heirs and Successors, all his Kingdoms, Countries, Lands and Dominions, and Places whatsoever, and our and his Subjects, Vassals, Confederates, Friends, Allies, Favourers and Adherents; as also about all sorts of Contentions, Questions, Causes of War, Complaints, Quarrels, Attempts, Injuries, Grievances and Demands, together with their Circumstances,

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ces, Emergencies, Incidents, Dependencies and Relations, which shall be known to depend on both sides between us and our foresaid Cousin, and our and his Kingdoms, Places, Lands, Dominions, Countries, Subjects, Vassals, Allies, Confederates, Friends, Favourers and Adherents; and to compound, covenant, appoint, fully and entirely determine, and finally conclude all and every one of these things, as shall to them seem proper and expedient: As also to give and deliver valid and effectual Letters on our part about and upon matters thus settled and concluded, and all and every other thing that any way concerns the Premises, which have been settled, promis'd, agreed and concluded with the foresaid Commissioners, Ambassadors, Procurators, Deputies and Messengers of our foresaid Cousin; and to ask, require and receive other Letters of equal Vigour and Effect on the other part; and in general to do, perform and dispatch all and every one of the Premises, of what concern soever they be, so and in the same manner, as we our selves would do, or cause to be done, if we were present in our own Person, altho they should be such as requir'd a more special Commission.

Promising *bona fide*, and on the word of a King, that we shall hold and observe as ratify'd, grateful, acceptable and firm, all and singular that have been settled, promis'd, agreed and concluded on our part, by our foresaid Commissioners, Ambassadors, Procurators, Agents and Deputies; and that we shall moreover give our confirmatory and approbatory Letters Patent in due and authentick Form, as shall be needful.

In Testimony whereof we have caus'd these our Letters to be made Patent.

Witness my self at *Westminster*, the 20th of *February*, in the Eleventh Year of our Reign.

Philip,

Philip, by the Grace of God, Archduke of Austria, Duke of Burgundy, Lorain, Brabant, Stiria, Carinthia, Carniola, Limburg, Luxemburg and Guelder; Earl of Hapsburg, Flanders, Tirol and Burgundy; Palatine of Hainault, Landgrave of Alsace, Marquis of Burgo, and the Holy Roman Empire, of Holland, Zeeland, Farette, Limburg, Namur and Zutphen; Count and Lord of Friseland, Salines and Malines: To all who shall see these Presents, Greeting.

WHEREAS we sent some time ago certain of our Ambassadors to the most High, most Excellent, and most Potent Prince, and most Honour'd Lord, our Cousin the King of *England*, for maintaining the Alliances between our said Cousin the King of *England* on the one part, and us on the other part, as also for an Intercourse of Merchandizes between the Subjects of our said Cousin and ours; and for the Restitution of certain Seizures made by the Subjects of our said Cousin the King of *England*, upon our Subjects, in prejudice of the said Alliances and Intercourse.

And whereas the said Ambassadors at their Return told us, that a certain Day was appointed to be held by our said Cousin the King of *England* at *London*, in a short time, and that we should send thither our worthy Ambassadors, to speak and treat of these matters more at length.

Therefore it is necessary to depute for this purpose some great and notable Personages faithful to us.

Wherefore we publish and declare, That trusting entirely and fully in the Wisdom, Prudence, Virtue, Sufficiency and Diligence of our Beloved and Faithful the Lord of *Beures*, our Cousin, Lieutenant-Governor and Captain-General of *Artois*, and Admiral of the Sea; Mr. *Paul de Baeuf*, Lord of *Formezetti*, our President of *Flanders*; *Robert de Melun*, Lord of *Rouny*, our Chamberlain; the Lord of *Mervele*, also our Chamberlain and Chief Bailly of *Flanders*; *John de Corteville*, our Armour-Bearer; Mr. *Thomas Portimain*, all of them our Counsellors; and Mr. *Florence Hanwell*, our Secretary of the Ordnance.

Whom

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Whom (or any six, five or four of them, of whom our Cousin the Lord of *Beures* shall be one, as is said) we have made, appointed and ordain'd, and do make, appoint and ordain, by these Presents, our Ambassadors and Procurators. To whom, or to any six, five or four of them (of whom our said Cousin the Lord of *Beures* is to be one, as is said) we have given, and do by these Presents give full Power, Authority, and special Commission, for us, and in our name, to go to our said Cousin the King of *England*, and there treat, manage, negotiate and conclude with him, as well about maintaining the said Alliances, Friendship and Intercourse between the said King our Cousin, his said Kingdom, Countries and Subjects, and us and ours, as about Reparation and accommodating of Differences, Questions and Controversies, which may have happen'd on either side, and about all other things that may depend thereon.

And to do, moreover, all and every thing which good and loyal Ambassadors may and ought to do, and which we our selves might or could do, if we were there present in Person, altho they might require a more special Commission.

Promising *bona fide*, and on the word of a Prince, to have and hold, for ever, agreeable, firm and stable, all that shall be done, transacted, treated and concluded in the foresaid matters, and what depends thereon, by our foresaid Ambassadors, or any six, five or four of them, without ever doing, or suffering any thing to be done to the contrary, in any manner whatsoever; and to cause our Letters Patent of Ratification to be dispatch'd thereupon, if needful, as often as we shall be requir'd thereto.

In Testimony whereof we have caus'd our most renown'd Father's, as well as our own Seal, to be affix'd to these Presents.

Given in our Town at *Brussels* the 14th of *December*, in the year of Grace 1495.

In Testimony, Faith and Approbation of all and singular the Premises, We the Ambassadors of the foresaid most Illustrious the Archduke, have sign'd these Presents with our Signs Manual, and seal'd them with our Seals.

Given

28 *Treaty of Commerce between .*

Given at *London* the 24th of *February*, in the year of our Lord, 1495.

Ph. de Bourg,
P. de Baeuſt,
Robert de Melun,
Daniel de Praet,

J. de Courteville,
Thomas Portmar,
Haubbeeck.

The King's Confirmation of the Intercourse of Trade and Merchandizes between the Subjects of England, and thoſe of the Duke of Burgundy, in the Year 1499.

THE King to all and ſingular to whom theſe Preſents ſhall come, Greeting.

We have look'd upon certain Articles concerning the Intercourſe of Trade and Merchandizes, lately begun, treated, agreed, ſettled and concluded at *Calais*, between our Commiſſioners and Ambaſſadors on the one ſide, and the Ambaſſadors of the moſt ſerene Prince, our moſt dear Couſin the Archduke of *Austria* and *Burgundy*, &c. on the other ſide, as more clearly and fully appears, and is contain'd in Letters drawn up thereupon.

The Tenor of which Letters follows, and is to this purpoſe :

To all and ſingular to whom theſe Preſents ſhall come ; *Richard*, by the Divine Permiſſion, Biſhop of *Rochester* ; *William Warham*, Doctour of Laws, Maſter or Keeper of the Rolls of Chancery in *England* ; *Richard Nanfan*, Knight, Deputy-Lieutenant of the Town of *Calais* ; *Mr. Richard Hatton*, Doctour of Laws ; *John Turberville*, Knight, Treafurer of the ſaid Town ; *Samſon Norton* Knight, Janitor of the ſaid Town ; and *Adrian Whitbill*, Comptroller of the ſaid Town, Ambaſſadors, Negotiators, Procurators and Commiſſioners of the moſt Potent and moſt Dread Prince and Lord *Henry*, by the Grace of God, King of *England* and *France*, and Lord of *Ireland*, Greeting.

We make it known, That we the ſoſaid Ambaſſadors, &c. for the moſt excellent Prince, our ſoſaid King, and in his Name, having ſufficient Authority committed

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mitted to us by the said Prince's Letters Patent (the Tenor whereof follows) have agreed, contracted and concluded, and do by these Presents agree, contract and conclude all and singular the Articles which follow, with the Reverend Father in Christ, *Henry de Bergis*, Bishop of *Cambray*, and Count of *Cambray*, Chancellor of the Order of the Golden Fleece; Mr. *John Sauvage*, President of *Flanders*; Mr. *Daniel de Praet*, Knight, Chief Bailly of *Flanders*, Lord of *Meruwez*; and Mr. *Thomas de le Papoire*, Lord of *Pepoy*, Master of Requests in the Palace of the most Illustrious Prince, the Archduke of *Austria*, and Duke of *Burgundy*, the Ambassadors, &c. of the said most Serene *Philip* Archduke of *Austria*, &c. and having sufficient Authority in this matter by the said Prince's Letters Patent (the Tenor of which follows below.)

I. It is agreed and concluded, That immediately after the Date and Conclusion of this present Treaty, one half Mark shall be abated and defalk'd out of every Sack of every Sort of Wool, brought or to be brought to the Staple of *Calais*, during the Term of twelve Years immediately following the Date of these Presents, unless a great and notorious Mortality of Sheep happens in the mean time in the Kingdom of *England*; which Mortality shall be judg'd of by good and indifferent Men, sworn before the Treasurer of *England*, and without any manner of Fraud or Cheat in the matter. Of which Mortality the Treasurer for the time being, shall inform the most Illustrious Lord the Arch-Duke, or his Commissaries, by Letters under his own Seal; in which case, it shall be lawful for the Merchants of the foresaid Staple, notwithstanding this present Article, freely and safely to sell the said Sacks of the said Wool, or any of them, during the said Plague and the Effect thereof, without any Diminution or Defalcation whatsoever.

II. It is agreed, That no Packer in the Southern Parts of *England* shall henceforth exercise the Office of Packing, unless he be qualify'd and admitted thereto before the Mayor and Constables of the Staple of *Westminster*, and his Knowledge be approv'd in the Presence of certain discreet Merchants and sworn Packers, to be deputed and assign'd by the said Mayor and Constables according to the antient Customs: And the said Packer, admitted

and approv'd in the foresaid manner and form, before the said Mayor and Constables and others, as it shall please his Royal Majesty, shall take a corporal Oath, That he shall perform the Business of Packing of Wool indifferently and sufficiently, without any Fraud, Cheat, Collusion or Deceit whatsoever; so that they shall not pack or fold up Earth, Stones, Dung, Sand, Gravel, or Hair in the Fleeces, nor consent to have them pack'd or folded up.

III. In like manner 'tis ordain'd, That no Packer in the Northern Parts of *England* shall henceforth exercise the Business of Packing, till he is qualify'd and admitted thereto before the Mayor and Constables of *Boston*, and the like manner and form of approving his Skill, and taking the Oath are first observ'd: And that every Packer, thus admitted, approv'd and sworn, shall faithfully name every sort of Wools pack'd by him, by their Countries, according to the nature of the Wools, and not by another Country in any wise.

And he shall write or cause to be written upon every Sarplar, Pack, or Bag of good Wool of the Marches in great and open Letters, *Good Marche*.

And upon the Sarplars of the middle sort of Wool of the Marches, he shall write or cause to be written *Middle Marche*.

And upon all Sarplars of good Cottiswood Wool, he shall write or cause to be written, *Good Cottiswood*.

And the same shall be observ'd concerning all Wools growing in any of the other Countries of *England*, and afterwards to be brought to the Staple of *Calais*: Moreover, the said Packer shall write his Sirname, or cause it to be written upon all the foresaid Packs and Sarplars; so that the Name of the Packer may not be easily taken out, without tearing the Sarplar, Pocke, or Bag.

And if any Packer shall presume to pack any Wool against the Form of the present Ordinance, he shall *ipso facto* forfeit his Office of Packing, and be punish'd for Perjury as well in his Goods as in his Person, according to the Pleasure of his Royal Highness.

And if the foresaid Wool shall be pack'd contrary to the Tenor of this Ordinance in any wise, by Fraud, Deceit, Design or Consent of any Merchants of the Staple: and if they or any one of them be convicted
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of this Fraud, Deceit, Design or Consent, by good and indifferent Men, before the Lord Treasurer of *England* for the time being: He or they shall for this Fraud, Deceit, Design or Consent, forfeit Twenty Pounds Sterling for every Sack of Wool thus fraudulently pack'd; of which Twenty Pound Sterling, Fifteen Pounds shall go to the Lord the King, and Five Pounds shall be paid to the Person detecting such false Packing. And this present Ordinance shall be of force and effect after the 1st Day of *June* next following the Date of the present Treaty, and not before.

IV. That if the Subjects of the Lord the Archduke buying Wool in *Calais* shall not prove that that Wool brought to *Calais* was wet, rotten, eaten by Worms, or otherwise spoil'd in *Calais* by the Negligence of the Seller, within three Months next and immediately after the Day on which it was bought, and shall alledg at the Term of Payment after the elapsing of the foresaid three Months, that the Wool was damag'd as above, they shall not be regarded; but, notwithstanding this Exception, they and every one of them shall be really and effectually compell'd to pay the Sum demanded, and contain'd in an obligatory Writing, unless it be otherwise agreed between the Parties contracting.

And if the Wool be brought back to *Calais* by the Buyers within the time of the foresaid three Months, on pretence of its being damag'd, the Officers of the Staple thereto deputed shall view it, and administer Justice to the Party duly applying, and demanding the same, within twenty Days after the said Demand, unless the Wool be wet, or there be any other just Cause of Delay.

And if the said Officers of the Staple shall thro their Negligence delay to administer Justice as above within twenty Days; and if the staple Merchant who sold the said Wool, shall not in the mean time come to an Agreement with the Party aggriev'd, then the Treaty shall be dissolv'd, and the Seller shall be compell'd to take back his Wool, and restore the Obligation in writing to the Buyer, together with all Damages and Interest.

If a Decree or Sentence be issu'd against the Subjects of the Lord the Archduke, alledging the said Wool to

be wet, rotten, eaten by Worms, corrupted; or otherwise damag'd as above, within the said twenty Days, none of them shall ever after be admitted to commence an Action judicially or extrajudicially upon that Complaint or Allegation against the Merchant who is the Seller, before any other Judg, but the most Illustrious Lord, the King of *England*, or his Deputies in this Affair.

V. That good and perfect Payments be made from henceforth to the Staple Merchants, their Factors and Managers, and the other Subjects of the Lord the King, by the Subjects of the Lord the Archduke, in Goods and Mony, and to the value of Sterling, according to the Rate of the Deed or Instrument already made, and at this present in the Hall of the foresaid Staple, unless it be otherwise agreed between the Parties contracting: And also that it shall be lawful for the said Merchants, and their Factors and Substitutes aforesaid, freely to receive from their Debtors all kinds of Gold or Silver Mony current or to be current in the Lands and Dominions of the Lord the Archduke. And it shall be lawful for the said Debtors, freely to pay the said kinds of Mony to the said Merchants of *England* or their Factors. And it shall likewise be lawful for the staple Merchants and the other Subjects of the Lord the King to export and carry along with them, or to cause to be transported and carry'd to *Calais*, the Kingdom of *England*, or any other Places whatsoever, these kinds of Mony, and also all sorts of Gold and Silver Plate, and Jewels reduc'd to some certain and perfect Form, by the Hands of the Artificer, either by Land, Sea, or fresh Water, as well within as without the Countries and Dominions of the said Lord the Archduke, without Disturbance or Molestation from any Subjects or Officers whatsoever, and without fear of Confiscation of the said Mony and Things; notwithstanding any Prohibition already made, or to be made afterwards, and likewise always saving to all and singular the Subjects of the Lord the King the Benefit of the Article concerning this matter, publish'd in the Treaty agreed and concluded between the Lord *de Beuxres* and the other Commissioners of the said Lord the Archduke, and the Commissioners of the most Illustrious Lord the King of *England*, dated at *London* the 24th Day of *February*, in the Year 1495.

VI. That the Lord the Archduke shall from this time take off, make void, and extinguish the Duty of a Florin and every Part of it, and every other Imposition whatsoever upon all *English* Cloth; nor shall he for the future impose or suffer to be impos'd the foresaid Imposition, or any other upon any Cloth made in the Kingdom of *England*, or upon *English* Merchants who sell that Cloth, let the Buyers of it be of what Nation they will. And we the Commissioners of the foresaid Lord the Archduke do by these Presents take off, make void, and quite extinguish that and all other Impositions made or to be made; so that the said Merchants, Sellers and Buyers of the foresaid Cloths, or any of them, shall for the future be free from the Payment of the said Florin or any part thereof, and from any other Imposition laid on or to be laid on.

VII. That all and singular the Statutes, Provisions, Ordinances and Proclamations, made, statute, or provided, ordain'd and proclaim'd before this time by any Authority, or under any Form of Words whatsoever, That *English* Cloth should be brought and stapled only at the Towns of *Antwerp* and *Bruges*, and be there seal'd anew, and not at other Places in the Lands and Dominions of the Lord the Archduke, shall in future times be held as null and void. And we the Commissioners of the Lord the Archduke do by the Tenor of these Presents, make void, null and extinguish all and singular the foresaid Statutes, Provisions, Ordinances, and Proclamations on this score attempted contrary to the effect of the present Article; so that from henceforth it shall be lawful for all and singular the *English* Merchants and their Factors, to bring, sell, and cause to be brought all *English* Cloths by Land, Sea, and fresh Water, to any Places and Towns within the Lands and Dominions of the said Archduke (*Flanders* only excepted) without any Molestation, or Disturbance whatsoever; and to go to any other Places from thence, with or without their Merchandizes, without any Impediment: And it shall also be lawful for all the Subjects of the Lord the Archduke to make use of *English* Cloth, in the same manner and way they us'd them in the times of the noble Progenitors of the said Archduke.

VIII. That no Briefs or Writings commonly call'd *Kynkernellys*, or any other Writings or Briefs of the
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like nature and effect, shall from henceforth be granted by the Lord the Archduke to the Towns and Townsmen, or any particular Persons thereof, in what Form of Words soever they be conceiv'd, to the Loss and Fraud of the *English* Merchants; and if they be granted for the future, that they be held for not granted, void and null *ipso facto*. And as to the revoking Concessions, the Commissioners of the Lord the Archduke shall earnestly intercede with the said Lord the Archduke, that if they be not entirely voided, yet they may be limited to a less time; that so Creditors may the sooner, and with the more ease come at their Debts: And the same shall be observ'd towards the Subjects of the Lord the Archduke in *England*.

IX. That if the staple Merchants, their Factors, or any other Subjects of the Lord the King, shall judicially sue any Subject of the Lord the Archduke for his Debts, by Briefs commonly call'd *Skeppyn Breef*, they shall in no wise be hinder'd from their Prosecution, or from the Exemption of Sentence given in their favour upon the movable or immovable Goods of their Debtors; and that if any such Briefs or Letters whatsoever shall be given out for the future in fraud of Creditors, and to hinder the foresaid Execution, they shall be held of no force or effect, but look'd upon as void and null *ipso facto*: and the same shall be observ'd towards the Subjects of the Lord the Archduke in the Kingdom of *England*.

X. That whenever it shall happen, that the *English* Merchants shall come to the Fair or Market of *Antwerp*, *Bruges*, or any other of the foresaid Lord the Archduke's Countries, or at the time when there are no Fairs or Markets in those Places, it shall be lawful for them to buy there such Merchant Goods as they please, and at such a Price as they can agree for with the Sellers; but it shall not be lawful for the Superior of the *English* Merchants, commonly call'd *Court Maister*, either of himself, or with any of the said *English* Nation, to set a limited Price upon things to be sold to the *English*, or to ordain any Punishment against the Transgressors of that stinted Price (saving however the Privileges and Liberties yielded and granted to the said *English* Merchants) and the same shall be observ'd on the part of the Subjects

Subjects of the Lord the Archduke in the foresaid Fairs and Markets.

XI. That from henceforth it shall not be lawful for the *English* Nation to make Statutes or Ordinances against any Towns or Persons in the Lands of the Lord the Archduke, ordaining that no *Englishman* shall buy the Goods and Merchandizes of such a Town or Person, unless the *English* Merchants or their Factors shall be ill us'd, cheated or injur'd by the foresaid Towns or Persons (saving also the Liberties and Privileges yielded and granted to the said *English* Merchants) And the same shall be observ'd on the part of the Subjects of the Lord the Archduke.

XII. That if any Subjects of the Lord the King selling Goods or Merchandizes to any of the Subjects of the Lord the Archduke, shall judicially sue the said Subject or Subjects of the said Lord the Archduke for Non-payment, or Non-observance of the Contract or Bargain begun and concluded betwixt them; the Contract appearing by the Confession of the Buyer, or by the sole Exhibition of any obligatory Writing, before the Mayor of the Staple, or his Lieutenant or Constable, own'd by both Buyer and Seller, and sign'd with the Seal of the Staple, or by the private Seal of the Debtor own'd by himself; or it being prov'd any other way, that this was and is the Debtor's private Seal; forthwith, and without any delay, the Debtor shall be definitively condemn'd by the Judg, before whom the Suit comes, to pay the Sum demanded, unless he legally except, that he has satisfy'd the said Creditor in whole or in part of the Debt, either in his own Name or that of another, having sufficient Power for that purpose, or that there was an Agreement between them of not demanding the Debt, or otherwise.

In all and every one of which Cases, he shall without any further delay, lay down the whole Sum demanded of him, contain'd in the said publick or private Writings, duly consign'd and warranted, in the Hands of the Judg before whom the Suit comes; and the Judg shall effectually and without any frustratory Delay whatsoever, deliver or cause to be deliver'd the Mony thus laid down to the Creditor, or to his Factor, giving sufficient Caution for restoring the said Mony, in case the Debtor shall

prove his Exceptions to be true, or obtain a definitive Sentence. And all and singular the Causes not yet judicially mov'd or brought before the Judge, which the Subjects of the said Lord the King have or shall have against the Subjects of the said Lord the Archduke, in case they are willing to take the Benefit of publick or private Deeds in the Process; shall be fully and definitively discuss'd and terminated within six Months after the Day of summoning the adverse Party: and if they are willing to make use of Witnesses, and not of Writings, first giving Oath that they intend no Fraud thereby, then they shall be fully and definitively discuss'd and terminated within nine Months after summoning the adverse Party. And all Causes mov'd and brought before the Judge, and lying yet undecided, which the Subjects of the Lord the King may have against the Subjects of the Lord the Archduke, shall be fully and definitively discuss'd and terminated within nine Months after the Date of the present Treaty, provided the Parties use due Diligence, and demand Justice to be administer'd: But the Causes already mov'd, which the Parties have prosecuted till they are either half decided, or the Sentence is past, shall be ended and terminated as soon as can be in course of Law: And the same shall be observ'd towards the Subjects of the Archduke in *England*.

XIII. That if any staple Merchants, their Factors, or any other Subjects whatsoever of the Lord the King, happen to commit any Crime in the Lands or Dominions of the Archduke, the Goods of the said Merchants, whose Factor he was, nor of any others in his hands at the time when such Crime was committed, shall not therefore be confiscated, if it appears that the Goods found with the Delinquent belong to another, but the Goods only of the Delinquent shall henceforth be confiscated; and likewise the said Merchants of the Staple, and their Factors only shall be prosecuted, fin'd and punish'd for their own Contracts and Crimes, and in no wise for those of others, unless in case of Reprisals to be granted according to the Form of the Treaty concluded between the Commissioners of both Princes, on the 24th of February, in the Year 1495. provided also that by virtue of the present Article the staple Merchants

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be not prejudic'd in any thing, as to the Benefit they have or shall afterwards have on the account of Obligations, with regard to the Towns and Citizens in the Lands and Dominions of the Lord the Archduke: The same shall also be observ'd in *England*, *Calais*, and Borders subject to the Lord the King.

XIV. That the Merchants and other Subjects of the most Serene King of *England*, and their Factors, dying in any of the Lands and Dominions of the Lord the Archduke, and having their own Goods and Merchandizes as well as those of others in the said Places, shall not be held and reputed from henceforth Bastards or unlawfully born; but the Goods and Merchandizes of him thus dying, shall effectually and without further delay be deliver'd without any diminution to his Heirs, Executors, or nearest Kindred, or to any others related or not related to him, provided they be *English*, and have any Interest therein or Claim thereto, either by Will or any other legal Way; and provided they exhibit Certificatory Letters of the Place of his Birth, and the Names of the Parents of the said Defunct, and that he was held and reputed as lawfully born in the Land of his Nativity in the Kingdom of *England*: which certificatory and authentick Writing, without any other Probation whatsoever, shall be held sufficient. And as to what concerns the staple Merchants and their Factors coming to die in the Lands and Dominions of the Lord the Archduke; the Certificate of the Staple only shall be sufficient, there being no Bastards admitted to be Merchants of the Staple. Nor shall the proper Goods of an *English* Priest dying in the Lands or Dominions of the Lord the Archduke, nor the Goods of others deposited and found with him at the time of his Death, be confiscated; but his Goods shall be fully and entirely restor'd to his Relations, or to any others to whom he shall have left them, and the Goods of others to such as shall make out their Property in them, without any certificatory Exhibition. The same shall likewise be observ'd concerning the Subjects of the Lord the Archduke, dying in *England*.

XV. It is agreed and concluded, That all and singular the foresaid Articles (the Article concerning the Defalcation or Abatement of the half Mark only excepted, which shall subsist only twelve Years, unless one of the

Princes, which God forbid, should die in the mean time) have and shall have their Force and Effect during the Life of both Princes, and a whole Year next and immediately following the Decease of the Prince first coming to die.

XVI. It is agreed and concluded, That the most Illustrious Lord the King of *England* shall give and deliver, or cause to be given and deliver'd within two Months next and immediately following the Date of the present Treaty, his Letters Patent seal'd with his great Seal, and sign'd with his own Hand, confirming and ratifying all and singular the Articles of the present Treaty, as far as they concern or may concern the said Lord the King, or his Subjects, to the Commissioners of the said Lord the Archduke, in the Town of *Calais*, sufficiently authoriz'd for this end. And in like manner the Lord the Archduke shall give and deliver, or command and cause to be deliver'd to the Commissioners of the said most Serene Lord the King, in the Town of *Calais*, sufficiently instructed for this end, within two Months immediately following the Date of this Treaty, his Letters Patent seal'd with his Great Seal, and subscrib'd with his own Hand, confirming and ratifying all and singular the Articles of the present Treaty, as far as they concern or shall concern the said Lord the Archduke, and his Subjects.

Here follow the Tenors of the Commissions.

Henry, *by the Grace of God, King of England and France, and Lord of Ireland: To all to whom these Presents shall come, Greeting.*

K Now ye that we, trusting very much in the Fidelity, Industry and provident Circumspection of our beloved and faithful Counsellor, the Reverend Father in Christ, *Richard*, Bp of *Rochester*; as likewise of our beloved and faithful Counsellors, *William Warham* Doctor of Laws, Master or Keeper of the Rolls of Chancery; *Richard Nanfan* Knight, Deputy Lieutenant of our Town of *Calais*; Mr. *Richard Hatton* Doctor of Laws; *John Turbeville* Knight, Treasurer of our foresaid Town; *Sampson Norton* Knight, Janitor of the foresaid Town; and

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and *Adrian Whitehill*, Comptroller of our said Town; do assign, make, constitute and depute by these Presents them to be our true and undoubted Commissioners, Ambassadors, Procurators and Deputies; giving and granting to them, or any six, five, four or three of them, full Power and Authority, and general and special Commission to meet, treat, explain, obtain, declare, agree, compound, covenant, settle, repair, reform, and fully and entirely determine, and finally conclude in our Name, for us, all our Kingdoms, Countries, Lands, Dominions, Subjects and Vassals whatsoever, with our most dear Cousin, *Philip*, Archduke of *Austria*, Duke of *Burgundy*, &c. or with his Ambassadors, Commissioners, Procurators, Deputies, &c. having full Power from our said Cousin, about and upon all Commerce, exercise of Commerce, and a mutual and amicable Intercourse of Merchandizes, between us, our Heirs and Successors, Kingdoms, Countries, Lands, Dominions and Places, and our said Cousin, his Heirs and Successors, &c.

Promising *bona fide*, and on the word of a King, that we shall ratify, hold and observe as acceptable and firm, all and singular that shall be settled, promis'd, agreed and concluded by our foresaid Commissioners, Ambassadors, Procurators and Deputies, and to give our confirmatory Letters Patent thereupon.

In Testimony whereof we have caus'd these our Letters to be made Patent.

Witness my self at *Westminster*, the 19th of *February*, in the Fourteenth Year of our Reign.

Philip, *by the Grace of God, Archduke of Austria, Duke of Burgundy, Lorain, Brabant, Stiria, Carinthia, Carniola, Limburg, Luxemburg and Guelder; Earl of Hapsburg, Flanders, Tirol, Artois, Burgundy; Palatine of Hainault, Landgrave of Alsace, Marquis of Burgo, and the Holy Roman Empire, of Holland, Zealand, Farette, Limburg, Namur, and Count of Zutphen; Lord of Friseland, Sclavonia, Newport, Salines and Mechlin: To all who shall see these Presents, Greeting and Dilection.*

BE it known, That we being fully satisfy'd of the Fidelity, Industry and provident Circumspection of the Reverend Father in Christ, *Henry Lord of Berghys, Bishop of Cambray, Chancellor of our Order, and Superior or Head of our Supreme Council in the Absence of our Chancellor; and also of our beloved and faithful Counsellors, Mr. John Sauvage, President of our Council Chamber in Flanders; and Mr. Daniel de Praet, Knight, and Chamberlain to the Lord de Meruwez, Superior of our Flanders; and Mr. Thomas de la Papoire, Lord of Pypay, Master of Requests in our Palace.*

We chuse, make, constitute, name and ordain them by these Presents, our true, lawful and undoubted Procurators, Commissioners, Ambassadors and Deputies; giving and granting to all of them, or to three or at least two of them, ample Power and Authority, and a special and general Commission to appear in a certain Diet or Meeting in the Town of *Calais*, or in any other Place, according as the most Serene and most Excellent Prince, *Henry King of England*, my most Dear Lord and Cousin shall please, for us, in our Name, and for all our Lands, Dominions, Vassals and Subjects whatsoever; and there confirm, strengthen, establish, and if need be, enlarge, augment and extend the Amity, Confederacy, &c. long since begun, treated and concluded between us and the said Lord the King of *England*, &c.

In Testimony whereof we have affix'd our Seal to these Presents.

Given in our City of *Brussels*, the 19th of *March*, in the Year of our Lord 1498.

*A Treaty of Peace and Commerce between
Francis I. King of France, and Hen-
ry VIII. King of England, the 5th of
April, 1515.*

TO all and singular to whom these Presents shall come; *John de Selve*, Doctor of Laws, first President of the Supreme Court of *Bordeaux*; and *Peter de la Guiche*, Chevalier, Lord of the said Place, Bailiff of *Mascon* and *Lyons*, Plenipotentiaries and Ambassadors from the most Christian, most Serene, most Invincible, and most Potent Prince, *Francis*, by the Grace of God, King of *France*, Duke of *Milan*, and Lord of *Genoa*, and Commissioners and Deputies for the Points underwritten, Greeting. We declare, and be it known to you, that Peace being an inestimable Good, given and left as the greatest Blessing by our Redeemer Christ to all his true Worshippers, being much to be sought after and desir'd by Christian Kings and Princes, and to be most earnestly procur'd for their Kingdoms and Subjects; without which the Christian Religion, Justice, and the other Virtues suffer a great deal, and Vices put on the disguise of Virtues: considering likewise the Benefits and Advantages which in former times, but especially some years ago, have flow'd, and may yet flow to the Subjects of *France* and *England* from Peace, and the Friendship of Kings, and what Calamities, Miseries, Desolations and Inconveniences arise every where from War. Therefore we the Counsellors, Ministers, Ambassadors and Plenipotentiaries of the said most Christian, most Potent, and most Invincible Prince, being sufficiently authoriz'd to agree to, and conclude a firm Peace, faithful Friendship, and true Concord betwixt the same our most Potent and most Christian King, and the most Illustrious and most Potent
Henry,

Henry, King of *England*, and Lord of *Ireland*, the most dear Brother and Cousin of the said most Christian King, and their Subjects, Allies and Confederates, comprehended in the present Treaty, and their Kingdoms, Countries, Dominions, Cities, Lands, Towns, Villages, Territories, Castles, and all other Places held and possess'd by any of them at the time of this Treaty, which is to be held, kept and inviolably observ'd with the most Reverend Father in Christ, *Thomas*, by the Divine Mercy, Archbishop of *York*; and the noble and illustrious Lord, *Thomas*, Duke of *Norfolk*, Treasurer and Marechal of *England*; and the Reverend Father in Christ, *Richard*, Bishop of *Winchester*, Keeper of the Privy Seal; and the venerable and excellent Mr. *Young*, Doctor of Laws, and Vice-Chancellor of *England*, the Ambassadors, Plenipotentiaries and Messengers of the said King *Henry*, specially deputed by him, and having sufficient Authority for that purpose; we have agreed, covenanted and concluded, to the Honour and Praise of the Omnipotent God, of the most Glorious Virgin *Mary*, of the whole heavenly Court, and to the Exaltation and Growth of the Christian Religion, and by the Authority of our Commissions, the Tenors of which are inserted after, we do by these Presents agree, covenant and conclude, Article by Article, as follow.

I. In the first place, &c.

II. It is covenanted and agreed, for the free and peaceable Intercourse of Merchants and Merchandizes of both Princes, That during the foresaid Peace, or the Term of the said Peace, no Privateer or Man of War shall go out, or be permitted to go out of the Sea-Ports of *France* or *England*, till she has first given good and sufficient Caution and Security, in the hands of the Admiral of *France*, or his Deputy, or other ordinary Judge in that Place of the Naval Affairs of *France*; and of the Admiral of *England*, or his Deputy, or other Officers who take care of the Naval Affairs of the foresaid Ports; that they shall not invade, molest, plunder, or offend the Subjects of both Princes, or of either of them, nor do any Injury to their Allies and Confederates, nor procure any to be done to them upon any pretence whatsoever, under pain of Confiscation of the Ships and corporal

corporal Punishment, with a Restitution of all the Goods, and making up all the Damages sustain'd by any Person whatsoever.

III. That no foreign Ship prepar'd and equip'd for War shall be receiv'd during the said Peace in the fore-said Kingdoms of *France* and *England*; nor shall any Subsistence, Provisions, Victuals, Guns, or any other kind of Arms or Weapons of Defence be deliver'd, sold, or any way furnish'd or afforded to any Foreigners for preparing and equipping their said Ships, but all these shall be in any wise refus'd: nor in like manner shall the fore-said Things, Goods or Merchandizes, plunder'd and taken by the said Ships of Foreigners, or the Crew of those Ships, be in any wise receiv'd, expos'd to Sale, or allow'd to be sold in the said Kingdoms of *France* and *England*; but on the contrary, all Favour and Commerce shall be deny'd to these foreign Seamen as Pirates and Robbers. And in case such Ships shall lie at Anchor in any of the Ports of *France* and *England*, or if their Crew shall go out of them, and go into any City, Village, Town or Fort next to that Port, in order to sell their Spoils, or buy Victuals, or for any other Cause whatsoever; it shall be lawful for the Inhabitants of that Place to take their Ships, and imprison the Seamen, and inflict just Punishment upon them for their Crime, that so others may be deter'd from committing any such for the future.

IV. That in the fore-said Treaty of Peace and Friendship may be comprehended the Friends, Allies, Confederates of both Parties afternam'd, viz. on the part of the King of *France*, our most Holy Lord Pope *Leo* the Tenth, the *Roman* Church, and Holy Apostolical See, the Sacred Empire, the Kings and Kingdoms of *Hungary*, *Scotland*, *Portugal*, *Dacia*, *Navarre*, the Dukes of *Savoy*, *Lorain*, *Guelder*, the Duke and Dominion or State of *Venice* and *Florence*, the Bishop of *Liege*, *Mantua*, *Montferrat*, and Lord of *Sedan*; and on the part of the King of *England*, our most Holy Lord Pope *Leo* the Tenth, the *Roman* Church, and the Holy Apostolical See, and all the Towns, Cities, Castles, Villages and Territories belonging to the Patrimony of *St. Peter* and the Holy *Roman* Church, the Sacred Empire, the most Illustrious Prince *Charles* Prince of *Castile*, the Archduke
of

of *Austria*, and his Heirs and Successors ; and likewise the most Illustrious Lady *Margaret*, Daughter to the Emperor, and Aunt to the foresaid Prince, Archdutchess of *Austria*, and all and singular the Dominions, Dukedoms, Counties, Cities and Towns, Villages and Territories of the said Prince of *Castile*, and all other things under the obedience of the said Prince, and all and singular his Subjects, Inhabitants and Dwellers whatsoever ; saving the Rights of Superiority and Jurisdiction, and all other Rights belonging to the said most Christian King, and without prejudice of those Rights, the King of *Dacia*, as also the Dukes of *Cleves*, *Fuliers* and *Venice*, the States of *Venice* and *Florence*, and the Community and Society of the *Anseatick* Towns, *Anshony* Lord of *Ligne*, and the *Helvetians* or *Switzers*.

V. Altho the said King and Kingdom of *Scotland* be nam'd and included on the part of the said most Christian King of *France*, yet it was and is expressly agreed and covenanted, that if the foresaid King of *Scotland*, or his Lieutenant, or Overseer of the Marches, or any other of his Subjects shall, by way of Hostility or Violence, invade or make Excursions into the Kingdom of *England*, or shall kill, or burn, or commit Depredations or Violences upon any of the Subjects of *England*, by the Command of the King, or the Permission of the foresaid Lieutenant or Overseer of the Marches with any number of Men, after the 15th of *May* next ; which Term the foresaid Ambassadors of the most Christian King have, and have presum'd to take upon themselves, to certify the King of *Scotland*, or his Council concerning such Comprehension, and its Conditions ; then in that case such Comprehension shall be *ipso facto* null and void : Or if any Subject or Subjects of the foresaid King of *Scotland*, without the Command or Permission of the said King or his Lieutenant, or Overseer of the Marches, shall to the number of three hundred Men, or above, in a hostile and violent manner, invade, or make an Excursion into the Kingdom of *England*, and commit Homicide, Burning, Theft or Robbery upon the Subjects thereof, and the foresaid King of *Scotland*, or his Lieutenant or Overseer of the Marches, where such Invasion or Excursion was made, being acquainted by the Overseer or Lieutenant of the Marches

Marches of the Kingdom of *England*, where such Invasion or Excurſion was made, ſhall not make Reſtitution of what was taken away, make good Damages, nor exerciſe Juſtice according to the Exigency and Merits of the Cauſe, and according to the Manner, Laws and Cuſtoms of thoſe Marches obſerv'd and uſ'd in ſuch Caſes at the time of the laſt Peace, within forty days after notice given, then the foreſaid Comprehension ſhall be null and void. But if ſuch Invaſions, Excurſions, Murders, Burnings, Depredations or Violences be committed with a leſſer number, Juſtice ſhall be done in the manner and form contain'd in the Treaty of the laſt Peace. And in like manner the King of *England*, his Lieutenants, Overſeers of the Marches, and Subjects of the ſaid Kingdom of *England*, ſhall abſtain from the foreſaid Murder, Burning, Depredations, Violences, Thefts and Robberies, and ſhall be oblig'd to behave themſelves juſtly towards the King of *Scotland* and his Subjects, in the manner above ſpecify'd.

But as to what concerns the mutual Dealings, Commerce and Intercourſe of Merchandizes betwixt the Subjects of both Kingdoms, the ſaid Subjects ſhall in all things eſteem and treat one another in the ſame manner that they were oblig'd to eſteem and treat one another at the time of the laſt Peace.

VI. That the Allies and Confederates foreſaid, *viz.* the foreſaid King of *Scotland* and Prince of *Caſtile*, ſhall declare and ſignify by their Letters, ſeal'd with their own Great Seal, within three months next and immediately following the date of the preſent Treaty, to the Prince comprehending them, whether they are willing to be comprehended; and the reſt comprehended by either Party, ſhall ſignify and declare, in like manner, within twelve months after the date of the preſent Treaty; and the ſaid Prince ſhall ſignify and make known to the other Prince the ſaid Declaration, as to the King of *Scotland* and Prince of *Caſtile*, within three months, and as to the reſt within twelve months, by their Letters ſeal'd with their Great Seals, and ſign'd with their own Hands, with the foreſaid declaratory Letters of the ſaid Comprehension annex'd.

VII. It is agreed and concluded, That the foreſaid Kings, Princes, &c. nam'd for comprehended Allies and Confederates,

Confederates, shall not be comprehended in what concerns the Dukedom of *Milan*, Lordship of *Genoa*, County of *Asti*, and other Lands and Dominions in *Lombardy*, to which the foresaid King of *France* pretends a Right.

Extracted from the Articles of Peace concluded between the Ambassadors of the most Christian King of *France*, and those of the most serene King of *England*, the 5th day of *April*, in the year 1515. *J. de Selva.*

A Treaty of Peace between Henry II. King of France, and Elizabeth Queen of England, with relation to Calais, &c. At Chateau Cambresis, the 2d of April, 1559.

ELIZABETH, by the Grace of God, of *England, France and Ireland*, Queen, Defender of the Faith, &c. To all and singular to whom these Presents shall come, Greeting. Whereas after many and various Deliberations and Consultations between our Ambassadors, Plenipotentiaries, Deputies, &c. and those of the most Illustrious and most Potent Prince *Henry*, by the Grace of God, the most Christian King of *France*, our most dear Brother and Cousin, a certain Treaty for a good, sincere, firm and perpetual Peace, Concord and Friendship, betwixt us and the said most Potent Prince the King of *France*, our most dear Brother, was lately agreed and concluded by common Consent, and by virtue and authority of the Commissions granted by us, and our said Brother respectively, at *Chateau Cambresis*, as more fully appears, and is contain'd in the Letters of the foresaid Ambassadors and Commissioners dispatch'd thereupon; the Tenor of which is as follows.

To all and every one to whom these Presents shall come, Greeting. None can be ignorant how miserable a Change there is made in the State of Affairs, from the Discords of Christian Princes; since within these few years many Provinces are to be seen wasted and spoil'd by Devastations, Burnings and Plunderings, and cruel Wars between Princes, and many Cities destitute of Inhabitants, and spoil'd of all their Wealth and Ornaments; nay greater Mischiefs than all these have rush'd in upon almost all parts of *Christendom*. For while Princes themselves are solely intent, on one side and t'other, upon doing and revenging Wrongs, the Manners of Men are so corrupted and deprav'd, by the Contagion of Wickedness and Vice (of which War is very fruitful) that the Laws of Justice and Faith, which are the Ties of human Society, are scarce ever regarded, and all Divine Rights are so perverted every where, that a more unhappy State of Things can hardly be conceiv'd. And since these deep Wounds are given by the Contentions of Christian Princes, they cannot be otherwise heal'd and cur'd than by the Concord of these same Princes; for the obtaining of which, that they may meet *bona fide*, and with reconcil'd Minds, and confirm it when once made, and perpetually cultivate it by mutual good Offices, they must first bridle and restrain their furious Lusts (than which they have not more formidable Enemies) and then remember that the People under their Power are not given up to their Lust, but given to them in trust by God. For then laying down their Arms, they will freely, and with Justice and Equity compose Differences; and extinguishing their Grudges, and obliterating the remembrance of former Injuries and Wrongs, they will with better Dispositions take upon them the care of the publick Safety. Since therefore such great Evils may be heal'd to their immortal Honour and Glory, and without any Inconvenience to them, they will doubtless be guilty of the most detestable Barbarity, who having Remedies at hand, will not lend their Assistance to the Christian Cause, which is miserably breathing out its last; and such Persons (if perhaps there be any such, which is scarce to be believ'd) may be justly reckon'd the Scourges of the Divine Wrath and Revenge. All which the most

most Potent Princess *Elizabeth*, by the Grace of God, Queen of *England* and *Ireland*, Defender of the Faith, &c. and *Henry*, by the same Grace, the most Christian King of *France*, knowing to be most true, and beholding with the deepest concern the Christian Cause distressed with all manner of Calamities, and being sensible that they are plac'd in the highest Station of Dignity by the Almighty God, that they may govern, defend and protect the People committed to them by Divine Providence, and diligently procure for them whatsoever is for their Interest and Safety; they thought they could do nothing, either more acceptable to God, more useful for the publick Welfare, or more becoming their Royal Majesty, than by amicably taking away the Causes of Difference left by their Ancestors, rescuing their People, long toss'd with the Storms of War, from the Rocks of Calamities, and endeavouring to bring them to the Port, by the favourable Gale of the Divine Goodness. In order happily and seasonably to obtain which, they have bended all their Thoughts and Designs towards this Concern; and that they might find the desired Effect of deliberate Counsels and sincere Intentions, they have with mutual Consent sent their Ambassadors with Authority and Instructions, to treat about the composing of Differences, and procuring of Peace. Who meeting at *Chateau Cambresis*, held Conferences for several days, and at length, by the Mercy of God, amicably compos'd all Differences, procur'd and establish'd Peace, Concord and perpetual Friendship between the foresaid King and Queen, in the Form, and upon the Conditions and Articles which follow.

We *William Howard*, Baron of *Effingham*, Knight of the most noble Order of the Garter, and first Gentleman of the Bedchamber to the said most serene Queen of *England*; *Thomas*, Bishop of *Ely*; and *Nicholas Watson*, Dean of the Metropolitall Churches of *Canterbury* and *York*, Counsellors, Ambassadors, &c. of the said most serene Queen of *England*, specially commission'd, and having Authority to manage and finish what is after mention'd; together with the most Reverend, most Illustrious, and most Excellent *Charles*, Presbyter Cardinal of the Sacred *Roman* Church, Archbishop and Duke of *Rheims*, first Peer of *France*, and born Legate there;
Anna,

Henry II. and Q. Elizabeth. 49

Anna, Duke of *Montmorency*, Peer, Constable, and Great Mareschal of *France*; *James d'Albon*, Seigneur of *St. Andrew*, and Marquis of *Fronsac*, Mareschal of *France*; *Joe de Morvilliers*, Bishop of *Orleans*, Privy Counsellor to the said most Christian King; and *Claude de Laubespine*, Knight; Seigneur de *Hauterive*, Counsellor to the said most Christian King, and Secretary for the more weighty Affairs, which concern the State of the Kingdom, Ambassadors, Plenipotentiaries, Managers of Affairs to the said most Christian King, and commission'd by him, with Authority and Instructions amply and specially contain'd in publick Letters, to manage and finish what is after-mention'd; being supported by virtue and authority of our Instructions and Commissions on both sides, which shall be inserted afterwards word for word; we have agreed, accorded and concluded, and do by these Presents agree, accord and conclude the following Articles.

I. It is agreed, accorded and concluded, That there be a true, sincere, firm, solid, perpetual and inviolable Peace, Friendship, Union, Confederacy, League, mutual Intelligence, and true Concord to last in all future times, between the foresaid most serene *Elizabeth*, Queen of *England*, and *Henry* the most Christian King of *France*, and their Heirs and Successors, succeeding them in their Kingdoms and Royal Dignity, viz. the Kings of *England* and *France*, and all their Subjects whatsoever, in all future succeeding Ages, and their Kingdoms, Countries, Lands, Dominions, Cities, Castles, Territories, Places, Villages and Towns.

II. It is agreed, &c. That neither of the said Princes, or their Heirs and Successors, shall invade, in a hostile manner, or cause to be thus invaded or attack'd, the Kingdoms, Countries, Islands, Dominions, or any other Places whatsoever, at present in the possession of either of them, but shall expressly and effectually discharge and hinder any such thing.

III. It is agreed, &c. That neither of the foresaid Princes, or their Heirs and Successors, shall lend, or give Succour, Help, arm'd Men, or any manner of Assistance, directly or indirectly, secretly or openly, under any colour whatsoever, to any other Prince, of what Degree, State or Condition he be, or with what

ever Bond of Consanguinity or Affinity he be ty'd, or with whatever Dignity he shine; or to any Country, People or Nation invading, or endeavouring to invade either of the foresaid most Potent Princes, or their Kingdoms, Lands, Islands, Countries or Dominions, now in the possession of either of them.

IV. It is agreed, &c. That if any thing be attempted, acted or done against the Force and Effect of the present Treaty of Peace and Friendship, either by Sea or Land, or in fresh Waters, by any Subject, Vassal or Ally of either of the said Princes; yet notwithstanding, this Peace or Friendship shall remain in full force, and only those attempting or doing Mischief shall be punish'd for their Attempts and Damages, and no other.

V. It is agreed, &c. That so long as this Peace and Friendship remains entire and unviolated, all and singular the Inhabitants of both the foresaid Kingdoms, and of all the Lands and Dominions now in the possession, or which shall be in the possession of either of the foresaid Kings, of whatever Dignity, State or Condition, may do one another all manner of good Offices, and receive one another freely, safely and securely on both sides, and may travel, sail, bargain, buy and sell, by Sea or Land, or in fresh Water, and there remain as long as they will, or depart, and pass to and fro when they please; and carry and transport what they have purchas'd, bought, or acquir'd by Art, Pains, Industry or Labour, or any other just way, to their own Country, or to Foreigners, in any place they have a mind to, without any Lett, Hindrance, Restraint, Arrest, Passport, Licence, or special Permission.

VI. It is also agreed for the free Intercourse of Merchants and Merchandizes of both Princes, That during the said Peace no Ship of War shall go out, or be permitted to go out of the Sea-Ports of *England* or *France*, without first giving Security and Caution in the hands of the Admiral of *England*, or his Deputy, or the Officers of the foresaid Ports, for the Ships of *England*; and giving Security in the hands of the Admiral of *France*, or his Deputy, or any other ordinary Officer of that Place, for the Ships of *France*, that they will not invade, molest, plunder or injure the Subjects of both Princes, or of any one of them, or their Allies, upon

pain of having the Ships confiscated, and of bodily Punishment to be inflicted on the Offenders, with Restitution of all Goods, and making good of all Damages sustain'd by any one whatsoever.

VII. It is agreed, &c. That the said most Christian King, his Heirs and Successors, shall be, and remain to be, as far as concerns the said Queen of *England*, and her Successors, during the time and space of eight years, beginning from the date of this Treaty, in peaceable possession of the Town of *Calais*, with its Appurtenances, Dependences and Harbour, with the Castle of *Ruifbank*, as also the Castles, Dominions, Villages and Places of *Nihoul*, *Merk*, *Oye*, *Hâmes*, *Sandgate*, the Castle and Town of *Guines*, and the rest of that County taken in this last War, and all the other Towns, Castles, Villages, Lands, Dominions, Territories, Waters, Rivers, Harbours, Fortifications, Fortresses and Shores, and lastly all Places whatsoever on this side the Sea, which the said most Christian King possess'd himself of, and took by his Arms in this last War, in the Reign of *Mary* late Queen of *England*. And the said most Christian King hath promis'd, and promises, as well in his own name, as in the name of Monseigneur the Dauphin his Son, and his Heirs and Successors, and for which Dauphin the said most Christian King stood, and stands engag'd, promising he will take care and see, that the said Monseigneur the Dauphin shall approve and ratify this Treaty, within two months after the date of the said Treaty: That after the Term and Space of the foresaid eight years is expir'd and elaps'd, the said most Christian King, his Heirs and Successors, shall presently, and without delay, abandon, deliver and restore, or cause to be deliver'd and restor'd to the said most serene *Elizabeth*, Queen of *England*, her Heirs and Successors, or to those deputed for that purpose by her, or her Heirs and Successors, the said Town of *Calais*, with its foresaid Appurtenances and Dependences, and all and singular the foresaid Places; as likewise all the Fortifications and Fortresses whatsoever, now lately rais'd, fortify'd and built by the *French* in the foresaid Harbours and Places, or to be rais'd, fortify'd and built afterwards during the said Term of eight years. And the said most Christian King, his Heirs and Successors,

shall quit, depart from, and fully abandon the possession of all the foresaid Places, &c. so as that the said most serene Queen *Elizabeth*, her Heirs and Successors, may peaceably and quietly take possession of them, with all their Rights, Jurisdictions, Pre-eminences, Superiorities, Recognitions, &c. in the Manner, State, Condition and Nature in which the Kings of *England* held and possess'd them before the beginning of this last War. It is provided however, and expressly agreed, that the said most Christian King, his Heirs and Successors, shall not be oblig'd to restore and deliver up the said Towns, Castles, and other fortify'd Places, otherwise than in that State, Manner and Condition in which they are now at this present, and shall afterwards be strengthen'd and fortify'd by them during the foresaid Term of eight years; but so that neither at the time of this Restitution, nor before, any thing be done on purpose, by which the former State of the Munitions or Fortifications, which now is, or which shall afterwards be added, be impair'd, broke, or thrown down; but all shall be restor'd *bona fide*, entire and whole, in the manner above describ'd.

VIII. It is agreed, &c. That the said most Christian King, at the same time that he is oblig'd to restore the said Town of *Calais*, by virtue of this Treaty, shall likewise deliver to the said most serene Queen, her Heirs and Successors, or to those deputed by her, or them, sixteen great Brass Guns, *viz.* three Cannons, three Demi-Cannons, three Bastard-Cannons, and seven middla-siz'd Cannons.

IX. It is agreed and concluded, That for the more safe and certain Performance of these Restitutions on the part of his most Christian Majesty, his Heirs and Successors, to the said Queen of *England*, by virtue of the present Treaty, the most Christian King shall give, as soon as possible, seven or eight foreign Merchants, not his Subjects, nor under his Jurisdiction, but living without his Kingdom and Dominions, who are sufficient, rich and responsible, and who may conveniently and lawfully meet together: Which Merchants shall oblige themselves, in the best manner and form they can, with a Renunciation of the benefit of Process, or detention of their Goods, to pay the Sum of Five Hundred Thousand

saſd Golden Crowns of the Sun, to the ſaid moſt ſerene Queen of *England*, or her Heirs and Succeſſors, in the Kingdom of *England*: Which Sum ſhall be in place and inſtead of a Penalty, in caſe the ſaid moſt Chriſtian King, his Heirs or Succeſſors, ſhall reſuſe to perform, or delay beyond the due time, the Reſtitution of the Premises to be made to the ſaid Queen of *England*, or her Succeſſors, by virtue of this Treaty. And tho this Penalty ſhould be demanded, or not paid, yet the foreſaid moſt Chriſtian King and the Dauphin, and their Heirs and Succeſſors, ſhall remain bound to make good the foreſaid Reſtitution, according to Faith given, and the Contract comprehended in this Treaty.

And becauſe it will perhaps be difficult to find Merchants, who will be willing to remain bound for ſo great a Sum of Mony; it is agreed, accorded and concluded, That it ſhall be lawful for the ſaid moſt Chriſtian King (if he ſhall think proper) to change the ſaid Merchants from year to year, and renew the ſaid Sureties, giving a like number of other foreign Merchants, likewiſe living without the Kingdom and Dominions of the ſaid moſt Chriſtian King, and who may meet conveniently elſewhere than in the ſaid Kingdom and Dominions of the ſaid moſt Chriſtian King, who may be bound by Law, and are rich, ſufficient and reſponſible. And the ſaid moſt ſerene Queen of *England* ſhall be oblig'd to accept of them inſtead of the former, after they ſhall have bound themſelves in the manner and form foreſaid, with a Renunciation of the benefit of Proceſs, and detention of their Goods: Which done, the ſaid former Merchants ſhall be freed and abſolv'd from their Promiſes and Obligations made to the foreſaid Queen of *England*; and theſe things ſhall be done without Innovation of the preſent Treaty.

X. It is agreed, &c. That the ſaid moſt Chriſtian King ſhall give as Hoſtages to the ſaid moſt ſerene Queen of *England*, the renown'd and noble *Frederick de Foix*, Count of *Candale*, and Maſter of *Buch*; *Lewis de Sainte-Maure*, Marquiſs of *Nefle*, and Count of *Laval*; *Gaſton de Foix*, Marquiſs of *Trans*; and *Anthony du Prat*, Governor of *Paris*: and ſhall actually cauſe them to be deliver'd to the foreſaid Queen in *England*, before the Term be elaps'd, which is aſſign'd below for the Rati-

fication of this Treaty; and they shall remain bound for the said Sum of Five Hundred Thousand Crowns, in the manner aforesaid, till the said most Christian King shall have fulfill'd and perform'd the said Sureties in the manner and form foresaid; which being perform'd, the said Hostages shall not be detain'd or stop'd any longer: And the said most Christian King promises, and pawns his Faith, that these Hostages are so substantial and sufficient, that if it should happen that the Sureties of the foresaid Merchants should not be perform'd in the manner agreed above; then the said most serene Queen may obtain and recover the said Sum of five Hundred Thousand Crowns from them.

XI. It is agreed, &c. That the said Hostages shall not be kept in Prison or Custody, but they shall bind themselves by an Oath, that they will not depart out of *England*, without express leave from the Queen; and so they shall stay in *London*, or in the said Queen's Court, or any other where that the Queen pleases. But if the said Hostages, or any of them do any thing, or depart contrary to the Faith given, the said most Christian King shall send as many other rich and sufficient Persons in their Place, within a month after they are demanded, and shall deliver, or cause them to be deliver'd to the said most serene Queen of *England*.

XII. It is agreed, &c. That it shall be lawful for the said most Christian King to change the Hostages so given every two months, and to put a like number of other sufficient and rich Persons in their room, for the payment of the said Sum of Five Hundred Thousand Crowns, and deliver them to the said most serene Queen of *England*, in the Kingdom of *England*; which Hostages, so deliver'd, the said most serene Queen of *England* shall be oblig'd to accept of, and suffer the others to go away freely whether they please.

XIII. It is agreed, &c. That during the said Term of eight years, it shall not be lawful either for the said most serene Queen of *England*, or the said most Christian King, or the most serene King or Queen of *Scotland*, to innovate, attempt or endeavour any thing against one another by Arms, or their Kingdoms, Dominions, Countries or Subjects, either directly or indirectly, in prejudice of this Treaty: And if any thing shall

shall be thus innovated or attempted, during the foresaid Term, by the said most Christian King, or the most serene King or Queen of *Scotland*, or their Subjects, by the Authority, Approbation or Command of them or any of them; then the said most Christian King, and the Dauphin, upon such Innovation or Attempt made, shall be bound and oblig'd immediately to yield and deliver up the said Town of *Calais*, and all other Places foresaid on this side the Sea, lately taken from the *English* by the most Christian King, and restore them all without delay to the said most serene Queen of *England*, in the manner and form in which it was promis'd and agreed they should be deliver'd, at the expiration of the said Term of eight years. And if such Restitution be not made, then the said Merchants or Hostages shall be oblig'd to pay the Penalty of Five Hundred Thousand Crowns to the said most serene Queen of *England*, the Agreement concerning the said Restitution remaining in its full force notwithstanding. And on the other hand, if any thing shall be thus innovated or attempted by the said most serene Queen of *England*, or her Subjects, by her Authority, Command or Approbation; then the said most Christian King, and the King and Queen of *Scotland*, shall be freed and absolv'd from their Faith and Agreement above specify'd; and in like manner the Hostages and Merchants, bound for the said Sum of Five Hundred Thousand Crowns, shall be freed and absolv'd from their Promise and Obligation, so that no Action may be laid against their Persons or Goods on that score, nor they detain'd or molested in any manner whatsoever. Moreover, if any of the Subjects of the foresaid Princes, shall, of their own heads, endeavour or attempt any thing against the Subjects of the other of the foresaid Princes, in prejudice of this present Treaty, he shall be punish'd as a Breaker of the Peace, and according to the quality of his Crime.

XIV. That all Occasions of Difference may be taken away, and that this Peace and Friendship may be the more surely and firmly establish'd, it is agreed, accorded and concluded, That the Fortification at *Amouth*, in the Kingdom of *Scotland*, and near the Border of that Kingdom, and likewise whatsoever is innovated,

vated, or shall be innovated on the part of the most Christian King, or of the most serene King or Queen of *Scotland*, in prejudice of the Treaty begun at *Bul-loign*, in the month of *March*, in the year 1549. between *Edward* the Sixth of noble Memory, late King of *England*, and the said most Christian King, they shall all be demolish'd, and laid level with the ground, within three months after the date of this Treaty, or sooner, if it be possible; and all things shall be restor'd and plac'd in their former State, *bona fide*, and without deceit; nor shall any Place be rebuilt or fortify'd for the future, contrary to the foresaid Treaty. In like manner also, if after the foresaid time, and before the publication of this Treaty, any Place shall be taken and fortify'd by the *English* in the Kingdom of *Scotland*, or any Place upon the Borders of that Kingdom, in prejudice of the said Treaty, they shall be all demolish'd and made level with the Ground by the said *English*, and shall be all put in their former State, *bona fide*, and without deceit; nor shall any of them be rebuilt or fortify'd, in prejudice of this Treaty.

XV. It is agreed, &c. That all Rights, Actions and Demands, which either the foresaid most serene Queen of *England*, or the said most Christian King, and the most serene King or Queen of *Scotland*, have, or pretend to have against one another respectively, upon what reason or occasion soever, shall remain to them safe and entire. But there is good Hope that the Almighty God will give an Opportunity and Method, by which all these Differences and Pretensions, which the said Princes have respectively with one another, may be amicably compos'd and agreed.

XVI. It is agreed, &c. That neither of the foresaid Princes shall in any manner receive, keep or retain, nor suffer their Subjects to receive, harbour, &c. any Rebels or Traitors to the foresaid Princes, or to either of them, that are guilty of Treason against them; nor give Assistance, Counsel or Favour to such Rebels or Traitors, that shall come into any part under the Obedience of the said Princes, or either of them; but either of these Princes, on the Request and Demand of the other, shall give up, deliver and restore, or cause to be given up, deliver'd and restor'd, the Rebels and
Traitors

Traitors to the other Prince, within twenty days after the said Demand or Request is made by the other Prince, to the Bearer of his Letter, or one nam'd or deputed by him.

XVII. It is agreed, &c. That Letters of Reprisal, Mark or Countermark, shall not for the future be issu'd out of the Chancery, or any other Court of either of the foresaid Princes, unless against great Delinquents, or their Goods and Factors; and this in case of manifest denial of Justice only, which will be clearly settled by Letters of Summons and Requisition, and as the Law requires.

XVIII. There are comprehended in this Treaty, on the part of the most serene Queen of *England*, Philip King of *Spain*, &c. according to the force and effect of Treaties between the said King and Queen, and their Kingdoms, Lands, Countries and Dominions: And on the part of the most Christian King, the Catholick King of *Spain*, as also the King or Queen and Kingdom of *Scotland*, according to antient Confederacies, and the Rights of perpetual Amity and Friendship between the Kings of *France* and *Scotland*, and their Kingdoms and Subjects.

XIX. It is agreed, &c. That both the foresaid Princes shall cause the said Peace, Confederation and Concord to be respectively publish'd and notify'd at *London* and *Paris*, within ten days after the date of the present Treaty, and in the Ports and other noted Places of the Kingdoms of *England* and *France*, as speedily as it can be conveniently done.

XX. It is agreed, accorded and concluded, That the most serene Queen of *England* shall faithfully observe all and singular the Premises, and shall swear so to observe them, as soon as she shall be duly requir'd by the Ambassador or Ambassadors of the said most Christian King, having sufficient Authority and Instructions for that purpose, laying her Hand on the Holy Gospels, in his or their Presence; and shall ratify, authorise and confirm all and singular the Articles contain'd in this Treaty, by Letters Patent subscrib'd by her own Hand, and seal'd with her own Seal; and shall deliver, or cause to be deliver'd, *bona fide*, really and effectually, these Letters of Ratification and Confirmation to the Ambassador

or

or Ambassadors of the said most Christian King, having sufficient Authority for that purpose, within sixty Days after the Date of these Presents. And in like manner the said most Christian King is bound and oblig'd to do and perform all that the said most Serene Queen of *England* is bound to do and perform by this Article.

A Treaty of Peace, Confederacy and Alliance, between Charles the IX. King of France, and Elizabeth Queen of England. At Troies, the 11th of April, 1564.

ELIZABETH, by the Grace of God, Queen of *England, France and Ireland*, Defender of the Faith, &c. To all and singular to whom these Presents shall come, Greeting. Whereas a certain Treaty was lately agreed and concluded, happily to restore antient Friendship, Peace and Concord (which was lately interrupted by War) between our Ambassadors, Plenipotentiaries and Deputies, and those of the most Illustrious and most Potent Prince *Charles*, the Ninth of that Name, our most Dear Brother and Cousin, by virtue and authority of Letters and Instructions respectively granted by us, and our said Brother, viz. on the 11th Day of *April*, at the City of *Troies*, as more fully appears, and is contain'd in Letters written, and Instructions of the foresaid Embassadors, Plenipotentiaries and Deputies drawn up thereupon, and subscrib'd and seal'd, the Tenor of which is as follows, and is to this effect.

To all and singular to whom these Presents shall come, Greeting. The most Christian King of *France*, *Charles*, the Ninth of that Name, and the most Serene Queen of *England*, *Elizabeth*, having been desirous, out of their Christian Piety and Charity, and their Royal Magnanimity and Sincerity, to restore and confirm antient
Friendship,

Friendship, Peace and Concord (that was interrupted by War) for the Honour and Glory of Almighty God, the Benefit and Interest of all *Christendom*, and the common Safety, Interest and Advantage of their Kingdoms and Subjects: The foresaid King and Queen have commission'd and delegated, *viz.* the most Christian King on his part, the Reverend Father in God, *John de Morvilliers*, Bishop of *Orleans*, one of his Privy Counsellors; and the Noble and Excellent *James Bourdin*, Knight, Lord of *Villans*, likewise one of his Privy Council, and Secretary of State; and the most Serene Queen of *England* for Her self, and in Her Name, the Excellent Gentlemen, *Nicolas Throgmorton*, Knight, one of the Gentlemen of her Bed-Chamber, and a Counsellor, and *Thomas Smith*, likewise a Knight, Ambassador and Plenipotentiary residing in *France*. Which Ambassadors and Plenipotentiaries, by virtue of their Commissions and Instructions, met together, and treated concerning the composing of Differences, restoring and confirming Peace, in many and different Conferences held by them; and at length, by the Goodness of God, they establish'd and agreed to Peace, Concord, perpetual and inviolable Friendship between the most Christian King, and the most Serene Queen, upon the Laws, Conditions, Articles and Form following.

I. It is agreed, accorded and concluded, That there shall be a true, firm, solid, sincere, perpetual and inviolable Peace, Friendship, Union, Confederacy, League, mutual good Understanding, and true Concord, by Sea and Land, and in all Places, to endure in all future Ages, between the foresaid most Christian King of *France*, and the most Serene Queen of *England*, their Heirs and Successors, *viz.* the Kings of *France* and *England*, and all their Subjects and Vassals whatsoever, living in all succeeding future Times, and their Kingdoms, Countries, Lands, Dominions, Cities, Castles, Territories, Places and Towns, and their Subjects, Vassals and Confederates.

II. It is agreed, &c. That neither of the foresaid Princes, their Heirs or Successors, shall in a hostile manner invade, or suffer to be invaded or attack'd by their Subjects, the Kingdoms, Countries, Lands, Islands, Dominions,

minions, or any other Places whatsoever at present possess'd by either of them.

III. It is agreed, &c. That neither of the foresaid Princes, their Heirs or Successors, shall lend or give directly or indirectly, any Help, arm'd Men or Assistance, by Deed, Word, Counsel or Assent, upon any pretence whatsoever, to any other Prince, of whatever Degree, State or Condition he be, or with whatsoever Bond of Affinity or Consanguinity he be ty'd, or with whatever Dignity he shine; or to any Country, People or Nation, invading or endeavouring to invade either of the foresaid Princes, or their Kingdoms, Lands, Islands, Countries or Dominions now in the possession of either of them.

IV. It is agreed, &c. That if any thing be attempted, acted or done against the Force and Effect of the present Treaty of Peace and Friendship, by Sea or Land, or in fresh Water, by any Subject, Vassal or Ally of either of the aforesaid Princes; yet this Peace or Friendship shall remain in full force notwithstanding, and the Persons attempting, or doing Damage, shall be punish'd for such Attempts and Damages, and no other.

V. It is agreed, &c. That so long as this Peace and Friendship shall remain intire and inviolated, all and singular the Inhabitants of both the said Kingdoms, of whatsoever Dignity, State and Condition they be, and of all the Lands and Dominions which now are, or shall be afterwards in the possession of either of the foresaid Princes, may receive, and do one another all the mutual Offices of Friendship, and may freely, safely and securely travel, and sail to and fro, by Sea and Land, and in Rivers, and contract, buy and sell, and remain there as long as they will, and go from thence when they please; and may bring in, or transport without Passport, Licence or special Permission, whatever they shall purchase, buy or acquire by Art, Pains, Industry, Labour, or any other just Means, to their own Countrymen or Foreigners wherever they please, without any Lett, Impediment or Hindrance.

VI. It is agreed, That for the free Intercourse of Merchants and Merchandizes of both Princes, during the foresaid Peace, no Ship of War shall go out, or be permitted to go out of the Sea-Ports of the Kingdoms of

of *France* and *England*, till she has first given what Caution and Surety she can in the hands of the Admiral of *France*, or his Deputy, or the ordinary Judge of that Place for the Ships of *France*; and the Admiral of *England*, or his Deputy, or the Officers of those Ports for the Ships of *England*, that they shall not invade, molest, plunder or injure the Subjects of both Princes, or of either of them, nor their Allies, on penalty of Confiscation of the Ships, and corporal Punishment, with Restitution of all Goods, and making good of all Damages to the Persons injur'd.

VII. It is agreed, &c. That neither of the foresaid Princes shall receive, keep or harbour, or suffer his Subjects to receive, keep or harbour any Rebels or Traitors to the foresaid Princes, or to either of them, or such as are guilty of Treason; nor in any wise give Advice, Help, Favour or Assistance to any such Rebels or Traitors, who shall come into any Place subject to the said Princes, or either of them; but in twenty Days after either of the Princes has been requir'd by Letters from the other Prince, that Prince to whom the Rebels or Traitors belong, shall *bona fide* give up, restore and deliver, or cause to be restor'd and deliver'd up all and singular of them to the Bearer of these Letters, or to any other nam'd and deputed in these Letters.

VIII. It is agreed, &c. That no Letters of Reprisals, Mark or Counter-Mark, shall be issu'd out of the Chancery, or any other Court of either of the foresaid Princes, unless against capital Delinquents, their Goods and Factors, and this only in case of denial of manifest Justice, which will sufficiently appear by Letters of Summons and Requisition, as is requir'd by Law.

IX. It being the firm Resolution and sincere Intention of both sides, That this present Peace and Friendship should remain firm, intire and unshaken, as well between the said Princes as between their Subjects; it is agreed, concluded and order'd, for the removing all manner of Occasions of Difference, which may arise on either side from the taking of Ships, Arms, Instruments of War, Provisions, Merchandizes, or other movable Goods formerly committed by the Subjects of either Prince, That it shall not be lawful for either of the foresaid Princes, or the Subjects of either of them,
to

to demand or require any thing, or bring or begin any Dispute or Action at Law against one another, in the Name, on the Account, Occasion or Pretence of taking, plundering, robbing or detaining of Ships, Arms, Instruments of War, Merchandizes, Victuals, Provisions or any other movable Goods, from the 1st Day of *September*, 1562. till the Day of the Publication of the present Peace; but that all such Complaints, Demands, Disputes and Actions shall cease, be bury'd and forgot, and be held and esteem'd to be extinct.

X. And to what concerns the *French* and *English* detain'd Prisoners on both sides; it is agreed, That the Ambassadors and Plenipotentiaries respectively residing as well at the Court of the most Christian King, as at that of the most Serene Queen of *England*, shall amicably and kindly treat with the foresaid Princes concerning the setting at liberty the foresaid Captives, as is just, and becoming the Greatness and Excellence of the foresaid Princes, that so their Friendship may be the more strengthen'd and confirm'd; and this shall be done within two Months after the Date of the present Treaty.

XI. It is agreed, &c. That all and singular the Rights, Actions, Petitions, Pretensions and Demands, which either the foresaid most Christian King, or the most Serene Queen of *England*, or their Heirs and Successors have or pretend to have respectively against one another, upon any Reason or Occasion whatsoever, shall remain to them safe and intire; and in like manner their Exceptions and Defences on both sides shall be reserv'd.

XII. There are comprehended in this Treaty of Peace on the part of the most Christian King, *Ferdinand* Emperor of the *Romans*, and the Sacred *Roman* Empire; *Philip* Catholick King of *Spain*; as also the Queen and Kingdom of *Scotland*, according to antient Confederacies, and the perpetual Rights of Friendship between the Kings of *France* and *Scotland*, and their Kingdoms and Subjects. The Kings of *Denmark* and *Sweden* are likewise comprehended. And on the part of the most Serene Queen of *England*, *Ferdinand* Emperor of the *Romans*, always *August*, and *Philip* Catholick King of *Spain*, according to the Force and Effect of Treaties

formerly made between the said King and Queen, and their Kingdoms, Lands, Countries and Dominions; as also the most Serene Lady, *Mary* Queen of *Scotland*, and her said Kingdom; *Maximilian* King of the *Romans*, and *Philibert* Duke of *Savoy*.

XIII. It is agreed, &c. That both the foresaid Princes shall cause the said Peace, Confederacy and Concord, to be respectively publish'd and notify'd at *Paris* and *London*, within twelve Days after the Date of the present Treaty; and in the Ports, and other remarkable Places of the Kingdoms of *France* and *England*, as speedily as possible.

XIV. And that no Hostility may be committed from that twelfth Day either by Sea or Land, that may do any Damage to the said Princes, or their Subjects; it is agreed and concluded, That all Captures of any Persons, Goods and Ships that shall be made on either side after that twelfth Day, shall be null and void; and all Depredations whatsoever committed from that time, and all Damages sustain'd by the Subjects of either Prince, shall be restor'd, and the Captors and their Accomplices shall be condemn'd and forc'd to make restitution, by detaining their Persons and Goods till they have made satisfaction.

XV. It is agreed and concluded, That the said most Christian King of *France*, and the most Serene Queen of *England*, shall ratify, authorize and confirm all and singular the Articles agreed in the present Treaty, by their Letters Patent subscrib'd by their own Hands, and seal'd with their own Seals; and shall deliver, or cause to be deliver'd *bona fide*, really and effectually, these Letters of Ratification conceiv'd and drawn up in a sufficient, valid and effectual Form, *viz.* The most Christian King shall thus deliver, or cause them to be deliver'd into the hands of the foresaid most Serene Queen of *England's* Ambassador, residing in *France* with his most Christian Majesty; and the most Serene Queen of *England* shall thus deliver or cause them to be deliver'd into the hands of the said most Christian King's Ambassador, residing in *England* with her most Serene Majesty; and both of them shall faithfully observe all and singular the Premises; and so soon as they are requir'd by the Ambassador or Ambassadors respectively sent on both sides,
and

and having sufficient Instructions for that purpose, they shall swear thus to observe them, on the Holy Gospels, and in the Presence of the said Ambassador or Ambassadors.

In Faith and Testimony of all and every one of which Premises, we the Ambassadors, Deputies and Negotiators above-nam'd have caus'd this Treaty, which is subscrib'd with our Hands, to be strengthen'd and corroborated by affixing of our Seals. Given at *Troies* the 11th of *April*, 1564. after *Easter*.

We holding the foresaid Treaty with all and singular the Contents thereof valid, firm and acceptable, ratify, authorize and confirm all and every one of them, for us, our Heirs and Successors, as far as they do or may concern and touch us, our Heirs and Successors, our Kingdoms, Countries, Dominions or Subjects; and promise inviolably to keep and observe, and cause to be kept and observ'd all and singular the Premises. In Faith and Testimony of all and every one of them, we have caus'd our Great Seal of *England* to be affix'd to these Presents, which are subscrib'd with our own Hand. Given at *Richmond*, the 27th of *April*, in the Year of our Lord 1564. and of our Reign the Sixth. Sign'd *Elizabeth*.

Register'd in our Exchequer Chamber, the 15th of *May* 1564. *Formaget*.

A Treaty of Confederacy and Alliance between Charles the IX. King of France, and Elizabeth Queen of England. At Blois, the 29th of April, 1572.

IN the Name of the Almighty and most Gracious God. Be it known to all and every one who shall see these Presents. Whereas *Charles* the Ninth, by the Grace of God, most Christian King of *France*; and *Elizabeth* by the same Grace of God, Queen of *England*, from their sincere Amity and Affection, begun by the mutual Relation betwixt their Majesties, increas'd by the Consideration, that it has pleas'd God to call them both to the like Grandeur and Royal Dignity, and at last brought to its Perfection by the great and mutual Offices they have done one another ever since it hath pleas'd God to call them to the Government of their Kingdoms and States; their Majesties having been induc'd to enter into a most strict League, Alliance and Confederacy, for the Preservation and Maintenance of this their Friendship, the Security of their Kingdoms and Dominions, and the Benefit and Quiet of their Subjects. They, in order to execute this so holy and laudable a Design, and still to strengthen, and more and more confirm and maintain the Peace, Friendship and common good Understanding, which is at present between them, have commission'd and deputed on both sides, *viz.* the most Christian King hath deputed us *Francis*, Duke of *Montmorency*, Peer and Marechal of *France*, and Lieutenant-General for the King in the Town and City of *Paris*, and Governor of the Isle of *France*; *Rene de Birague*, Keeper of the Seals of *France*; *Sebastian de l'Aubespine*, Bishop of *Limoges*; and *Paul de Foix*, Privy Counsellor to his Majesty, his Commissaries and Ambassadors, with sufficient Power and Authority: And the said most Serene Queen of *England* hath

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deputed us *Thomas Smith*, Knight, Privy Counsellor to the said Queen, and Chancellor of the most noble Order of the Garter; and *Francis Walsingham*, Ambassador Resident for the said Lady with the said most Christian King, Ambassadors, Plenipotentiaries, Commissaries and Negotiators of the said Queen, sufficiently authoriz'd, warranted and instructed, as will appear by the Tenor of our Powers and Commissions, respectively given to us by the said most Christian King, and the Queen of *England*. We have therefore agreed, contracted and concluded, in the Name of the said King and Queen, our Sovereigns, the following Capitulations, Conventions, Pactions and Articles.

I. It is agreed, accorded and concluded, That it shall not be lawful for either Party, by any of the Pactions, Conventions or Articles contain'd in the present Treaty of Confederation and Union, to depart from preceding Treaties or Alliances formerly enter'd into by the said Confederates and their Predecessors; but notwithstanding they shall remain in their full virtue, force and vigour, in so far as they are not contrary or repugnant to the present Treaty, or any Articles contain'd therein.

II. It is agreed, &c. That neither Party shall give, nor suffer his Subjects to give openly or secretly, directly or indirectly, aid, favour or support to any one, of what Degree, Condition, Dignity or Order soever, who shall invade or endeavour to invade the Kingdoms, Countries, Lands, Dominions, or any other Place whatsoever belonging to the other Confederate: but there shall be a Confederacy, League and Union between the said Princes for their mutual Defence against all, of whatsoever Condition, State, Degree or Order they be, who upon any Pretence, Colour or Cause, shall invade or endeavour to invade, in a hostile manner, and by force of Arms, their Persons, Kingdoms, Countries, Lands, Dominions, Territories held and possess'd, at the time of the Conclusion of this Treaty, by the said Princes or either of them.

III. It is agreed, &c. That this present Treaty of Alliance and Confederacy shall be perpetual; so that as long as the said most Christian King, and the most Serene Queen of *England* shall live, it shall remain firm, stable

stable and inviolable, without any Exception: and in case of the Decease of either of them, it shall nevertheless remain between their Successors; provided that within a year after the Decease of either of the two said Princes, the Successor declare by his Ambassador, and his Letters to the Survivor, that he accepts the same Conditions, and will contract the same Confederacy and Amity: but if the Successor shall not declare this to the surviving Prince within the year, the said surviving Prince shall be discharg'd and acquitted from all Obligation of this Treaty. And the same shall be maintain'd and observ'd on the same Conditions, between the Heirs and Successors to the Crowns and Dominions of the Kingdoms of *France* and *England*.

IV. It is agreed, &c. That for the Protection, Defence and Preservation of the Persons of the said most Serene Princes, of their States, Kingdoms, Countries, Lands, Dominions, Cities, Towns and Villages, and their Territories held and possess'd by either of them at the Time of the Conclusion of the present Agreement or Treaty, against all Invaders and hostile Aggressors, viz. all Princes, Potentates and Communities whatsoever, of what State, Degree or Condition soever they be, or with what Bond of Affinity or Consanguinity soever they be ty'd, who have or shall invade in a hostile manner the Kingdoms, Countries, Dominions, Cities, Towns, Villages, Territories, or any other Places held or possess'd, as is abovesaid, by either of the foresaid Princes; or who have or shall attempt or endeavour to make or raise War, or who have or shall do injury or damage to either of the said Princes, to such as dwell in their Countries, or to such as live in their said Kingdoms, Countries, Lands, Dominions, Cities, Towns, Villages, Territories, and any other Places belonging to the said most potent Princes, notwithstanding all Treaties, Alliances, Friendships and Confederacies confirm'd in any manner whatsoever, or which shall be made and enter'd into afterwards with any Prince, Potentate or Community, even suppose they were the Relations of both Princes, or of either of them, or tho they were Allies and Confederates: Which Treaties, Leagues, Alliances, Friendships and Confederacies are renounc'd and abrogated upon this account. And they

shall assist one another for their mutual Protection, Defence and Preservation, *bona fide*, really and effectually, by mutual military warlike Succour, as well of Horse as Foot, Ships and Mariners, Machines, Artillery, Powder, Ball, and other Instruments of War, at the Expence of the Prince, who requires and demands Assistance, and that as often and as much as shall be necessary, and the soonest that can be, after the Demand is duly made by them respectively. And as to the Contribution of which Succour, as it relates to the number of Men, and Ships of War, and warlike Instruments and Machines, and other things mention'd above; the said Princes shall assist one another in the form and manner that follows.

V. It is agreed, &c. That the Queen of England, after notice given by Letters sign'd with the Hand of the most Christian King, and those of his Privy Seal, that he is invaded or assaulted by War, and demands Succour within two Months, counting from the said notice given, shall be oblig'd to send to the said most Christian King, for his Defence by Land, and transport into France, six Thousand Foot at least, sufficiently and completely arm'd, some with long Bows, some with Musquets, and some with Pikes, at the Will and Option of the King, or any other lesser number, provided and as far as she is requir'd, to whom the most Christian King shall pay their due and reasonable Wages, only from the time of their Arrival in France.

VI. It is agreed, &c. That if the said most Serene Queen shall be requir'd in the form above, to furnish a greater number of Soldiers, she shall be oblig'd to do it, provided she can conveniently, always having a regard to Time, Place, and the State of her Affairs, with which she charges her Conscience.

VII. It is agreed, &c. for the War and Defence to be made by Sea, That the said most Serene Queen of England shall be oblig'd to furnish his most Christian Majesty with eight Ships of reasonable Largeness, or such a number as can conveniently contain twelve Hundred Soldiers, well equip'd and arm'd with all things necessary for fighting, as Artillery, Powder, Ball, and other such things; on this condition however, That the said most Christian King shall pay the Value and Estimation

tion of the said Powder and Ball, provided in the mean time, that no other but *English* Soldiers be put into these Ships without the Command of the most Serene Queen of *England*: And the said most Christian King shall be oblig'd to pay them their Wages, and reasonable Provisions only from the time that the said Soldiers and Mariners shall embark to go for the Service of the King; from and during the Course of which Time, the said Ships shall obey the Admiral, or the Vice-Admiral of *France*, or other Sea Captains or Commanders of the said most Christian King.

VIII. It is agreed, &c. That the said Queen shall be oblig'd to provide the said Ships with necessary Provisions for two Months, reckoning from the time the said Soldiers and Mariners shall be embark'd for the Service of the King: an Estimate of which Provisions shall be made, which the most Christian King shall pay and reimburse within two Months after, provided the said Provisions be consum'd during the time the said Ships were in his Service or otherwise, proportionably to the time in which they shall have been in his Service.

IX. It is agreed, &c. That in like manner, and in the like case, the most Christian King, after notice given by Letters sign'd by the hand of the most Serene Queen of *England*, and those of her Privy Seal, that she is invaded or assaulted in a hostile manner, and demands Assistance and Succour, shall be oblig'd to send, and transport into *England* or *Ireland* within two Months after the Demand made by the said most Serene Queen, for her Defence by Land, six Thousand Men at least, sufficiently and compleatly arm'd, part with Musquets, and part with Pikes, at the pleasure and option of the said Queen; or if she likes better, six Hundred arm'd Men, which will make the number of six Hundred Spear-men, and about three Thousand Horse, well and sufficiently equip'd and arm'd, with good and strong Horses, and other things after the manner of *France*, or any other lesser number, provided, and as far as shall be requir'd; to which Foot or *Gens d'armes*, the said most Serene Queen shall be oblig'd to pay their due and reasonable Wages only from the time of their Arrival in *England*, *Ireland*, or any other Place under the Obedience of the said Queen.

X. It is moreover agreed and concluded, That as often as the said most Serene Queen of *England* shall demand of the said most Christian King, in the form and manner above specify'd, a greater number of Foot or *Gens d'armes*, he shall be oblig'd to grant it, if he can conveniently, always having regard to Time, Place, and the State of his Affairs, with which he shall charge his Conscience.

VI. For the War and Defence to be made by Sea, it is agreed and concluded, That the said most Christian King shall be oblig'd to furnish to the said most Serene Queen eight Ships of reasonable Largeness, or such a number as can contain twelve Hundred Soldiers for fighting, well equip'd and arm'd with all things necessary for fighting, as Artillery, Powder, Ball, and other such like things; on condition however that the said most Serene Queen pay the Value and Estimate of the said Powder and Ball, provided nevertheless, that no other but *French* Soldiers be put into the said Ships, without the Consent of the said most Christian King. And the said Queen of *England* shall be oblig'd to pay them their Wages, and reasonable Allowance only from the time that the said Soldiers or Mariners shall have been embark'd for the Service of the said Queen, and from and during the Course of which time, the said Ships shall obey the Admiral or Vice-Admiral of *England*, or other Sea-Captains or Commanders of the said most Serene Queen.

XII. It is agreed, &c. That nevertheless the said most Christian King shall be oblig'd to furnish the said Ships with necessary Provisions for two Months, reckoning from the time the said Soldiers or Mariners shall have embark'd for the Service of the said Queen: of which Provisions an Estimate shall be made, which within two Months after the said most Serene Queen shall pay and reimburse, on condition that the said Provisions shall have been all consum'd during the time they were in her Service, or in proportion to the time they shall have serv'd her.

XIII. It is agreed, &c. That the said Forces and Succours, as well by Sea as by Land, shall be oblig'd faithfully to obey that Prince to whom they are sent, as long

as he shall think it reasonable to detain them; and shall pay them their Wages and Allowance as above.

XIV. It is agreed, &c. That in order to avoid all Doubts and Scruples which may arise upon account of the number of the Companies of the *Gens d'armes*, and the Foot, and of the Pay and Wages of Colonels, Captains, Ensigns and other Commanders, and of the Horse and Foot; the Form which is contain'd in a Scheme added at the end of this Treaty, shall be perpetually observ'd, with regard to the Soldiers to be lent, and the Wages to be paid, between these two Kingdoms.

XV. It is agreed, &c. That in case any Prince, Potentate, Community, or any other whatsoever, shall in a hostile manner invade either of the two Confederates, the other Confederate shall sell at a reasonable Price, if he can conveniently, or shall permit to be sold and transported out of his Kingdom, Musquets, Morions, Habergeons, Gun-powder, Ball, Sulphur, Saltpetre, and other such like things which are of use to repel the Enemy.

XVI. It is agreed, &c. That in case any Prince shall for the future ever command or permit either *English* or *Irish* Merchants, or others, or their Merchandizes and other Goods whatsoever to be molested, taken, seiz'd and arrested in *Flanders, Artois, Brabant, Hainault, Holland, Zeeland, Friezland, Pomerania, Prussia*, and other neighbouring Countries; then in such a case, the said most Christian King, his Heirs and Successors shall desire and request the Prince there, or in his Absence, his Lieutenant and Governor, in all haste and diligence, by Letters and a Messenger sent expressly for that effect, to set the said *English* and *Irish* at liberty again, and to deliver them their Merchandizes, and all and singular their Goods thus taken, kept and arrested in the Country of the said Prince, as is said above; and to allow them, and give them free Liberty to depart with all and singular their Goods and Merchandizes: and in case the said Prince, or his Lieutenant of the said Countries, after having been desir'd and inform'd about the matter, shall refuse or delay to do it:

XVII. It is agreed, &c. That in such cases the most Christian King, his Heirs and Successors, without any other

other delay, and all manner of Excuses laid aside, shall arrest, seize and take, and keep in their Custody, all and every the Merchants, Subjects of the said Prince, inhabiting the said Countries, or who are concern'd in any sort of Traffick there, their Solicitors or Factors, together with their Merchandizes, Inheritances, Revenues, Patrimony, movable and immovable Goods, which shall then be found in the Kingdoms, Countries, Dominions and Lands subject to the said most Christian King; and shall not release or return them in any wise, till all and every one of the *English* and *Irish*, arrested and kept as above, be first of all set at liberty, and all and every one of their Goods entirely restor'd. And in like manner, in case the *English* and *Irish* Merchants, or any other Subjects of the Queen of *England*, should be arrested or kept, as is said, in other Countries and Territories, than those above-mention'd, being Dominions and Kingdoms in the Obedience of the said Prince :

XVIII. It is agreed, &c. That then the most Christian King, his Heirs and Successors, shall exhort and request the said Prince, as is agreed above; and in case of refusal or delay from the said Prince, then the said most Christian King, his Heirs and Successors, as is said, shall arrest, seize and take, and detain in their Custody all and every the Merchants, Subjects of the said Prince, their Solicitors, Agents or Factors, together also with their Merchandizes, Inheritances and Revenues, Patrimony, and all Goods movable and immovable whatsoever, that shall be then found in the Countries, Dominions and Lands under the Obedience of the said most Christian King; and shall not release nor return them in any wise, till all and singular the Merchants and others, Subjects of the said Queen of *England*, thus arrested and detain'd, as is said, be first of all set at liberty, and all their Goods and Merchandizes fully and entirely restor'd.

Which full and entire Restitution, if it cannot be made by the said Merchants, Subjects of the said Prince, their Solicitors, Agents and Factors, their Inheritances, Revenues, Patrimony, and Goods movable and immovable, then found and arrested; it is agreed, &c. That from time to time the said most Christian King,

his

his Heirs and Successors, shall arrest and detain the said Merchants and Goods, as often and as long, till full and entire Restitution be made, and till the said Merchants, and other Subjects of the said Queen of England be entirely and fully satisfy'd.

XIX. It is agreed, &c. That for the entire Execution of this matter in all its Circumstances, for sending a Messenger to the said Prince, or to his Lieutenant in *Flanders, Hainault*, and other Countries above-mention'd, for his Going and Return, to desire the said Restitution, for the Stay the Messenger must make in waiting for their Answer, the space of eighteen Days is limited and fix'd; in *Spain* and *Portugal* thirty three Days; in *Italy* twenty three Days at the longest: and the Number of Days being elaps'd, then immediately and without delay, and all excuse laid aside, the Arrest and Detention shall be executed, as is specify'd above.

XX. It is agreed, &c. That the Queen of England, her Heirs and Successors shall be oblig'd mutually to perform and fulfil the same thing, in a like case, for the Subjects of the most Christian King, their Goods and Merchandizes that shall be arrested, seiz'd or taken in the Kingdoms, Countries, Lands and Dominions in the Obedience of the said Prince, that it is capitulated above, the said most Christian King is oblig'd to do for the Subjects of the most Serene Queen of England.

XXI. It is agreed, &c. That in case the said Prince for some just and probable Cause, Affair or Matter, which is comprehended in preceding Treaties of Peace and Friendship, formerly enter'd into and concluded between the said Princes, doing wrong to the said confederated Princes, and the said other Prince hath demanded authentickly of one of the said confederated Princes or their Heirs and Successors justice to be done him or his Subjects; and then in case of the Denial of Justice requir'd in this manner, the said Prince hath arrested or suffer'd to be arrested any Merchants, Subjects of one of the said Princes, their Goods, Ships or Merchandizes: Then, and in that case the said Princes, their Heirs and Successors, shall not be oblig'd by virtue of these Presents, nor reputed to be oblig'd to make restitution

restitution to the Parties concern'd, as is contain'd above; provided that in three Months immediately following the said Requeſts and Detentions, the said Prince has made it evidently and clearly appear by legal Proofs to the said most Christian King, and the most Serene Queen of *England*, their Heirs and Successors, that he arrested or suffer'd to be arrested the said Merchants and Subjects of either the King or Queen, only for the said Causes and Matters.

XXII. For otherwise, it is agreed and concluded, That the said most Christian King, and most Serene Queen of *England*, their Heirs and Successors, shall be oblig'd mutually to restore and deliver immediately all and singular the Goods thus arrested and detain'd, viz. to turn them wholly to the Advantage and Profit of such of their Subjects respectively, whose Goods the said Prince has formerly arrested, or suffer'd to be arrested; provided always, That the said most Christian King, and the most Serene Queen of *England*, their Heirs and Successors, during the time that the Justice of such an Arrest made by the said Prince for the above-said Cause is legally approv'd by them, shall be oblig'd to arrest and detain all and singular the Subjects of the said Prince, their Goods, Ships and Merchandizes, not only continually and from time to time, as is declar'd above, but likewise if it happens that the Goods of the Subjects of either of the two confederated Princes thus arrested by the said Prince, exceed and surmount the just Number, Price and Value of the Goods, on pretence of which the said Arrest was made by the said Prince; then the said King and Queen, their Heirs and Successors, shall be oblig'd to give and restore to the Subjects of both Princes thus interested and concern'd, as much of the Goods of the Subjects of the said Prince by them arrested and detain'd, as may suffice for their just Satisfaction, and for an Allowance for the Value, that thus exceeds and surmounts.

XXIII. Moreover, it is agreed, &c. That if the said Prince shall justly arrest or suffer to be arrested only five, or at most six Merchants, Subjects of one of the said Princes, their Goods, Ships and Merchandizes; and if this Arrest be made only for a particular Fact, and some private Interest that is deputed between them,
and

and the said Prince and his Subjects; then, and in this case the said Princes, their Heirs and Successors, shall not be look'd upon as oblig'd by virtue of these Presents to proceed to any Requests and Detentions comprehended in this Treaty.

XXIV. That there may be a more strict Friendship between the Princes and Kingdoms of *France* and *England*; it is agreed and concluded, That the Subjects of the Queen of *England* shall have in *France*, in the Place that shall be afterwards agreed upon between the most Christian King and the said most Serene Queen of *England*, a Magazine or Storehouse of *English* Cloth and Wool, or other Merchandizes, which were us'd to be brought from thence, and put into Storehouses, and as it was usually done at *Antwerp*, *Bergues* and *Bruges*.

XXV. It is agreed, &c. That the most Christian King shall allow the *English* Merchants to have some Place or House, where they may chuse their Governors, Counsellors, and other Officers to make Laws and Statutes, just as they were wont to do in the said Places; that so they may live and converse together the more conveniently and handsomly.

XXVI. It is agreed, &c. That neither the King nor his Successors shall allow any of the Subjects of the Queen of *England* to suffer either in their Persons or Goods, by the Inquisitors, or any other way, upon the account of Religion receiv'd at this time in *England*; but if any Person endeavour to attempt to do any such thing on any authority whatsoever, his Majesty shall forbid and hinder it by his Royal Authority: and if it be done, he shall provide that Reparation be made; provided however, and on condition that the *English* behave themselves modestly.

XXVII. It is agreed, &c. That it shall be lawful for the said *English* Merchants, to expose, sell and exchange their Merchants Goods, and buy of any Person, of what Nation or Place soever he be, and change for all sorts of Merchandizes whatsoever, on all Days except Sundays, and other Holydays, on which it is unlawful for the Natives of the Kingdom to make Merchandize or Traffick.

XXVIII. It is agreed, &c. That the Gabels, Toll, Custom, and other Duties, by whatever Name they be call'd, shall be certain and known for every sort of Merchandize; and they shall be written authentickly on Parchment seal'd with the King's Seal, and given to the said Queen, or to her Ambassador residing with the said King; that so the said Writing may be put into the Hands of the Governor of the Merchants, in Testimony of perpetual Amity; and that it shall not be lawful for the said King to augment or raise the said Charges or Duties, nor to lay new ones, upon any pretence whatsoever, directly or indirectly, on the Merchants or Merchandizes of *England*.

XXIX. And that the Merchants may live in the more Safety and Security, and go about their Business to the Profit and Advantage of both Kingdoms, it is agreed and concluded, that if there should happen any Difference or War between the Kings of *France* and *England*, which God forbid, there shall be given to the Merchants, Subjects of the one or the other Prince, two months; that is to say, sixty days after the War is proclaim'd in the Town where they live, during which time they may safely transport, sell or remove their Merchandizes and other Goods: and if any thing is seiz'd or taken away by either of the said Princes, or any of their Subjects during that time, the said Prince, or his Successors shall be oblig'd to restore them, or cause them to be restor'd entire.

XXX. It is agreed, &c. That after the said Magazine or Storehouse shall be set up, in the Places that shall afterwards be agreed on, their Factors, and all the other Subjects of the Queen of *England*, shall dispose, in favour of the Commerce and Traffick of the *English* Merchants, either in their Life-time, or upon their Death, of all their Merchant-Goods, Mony, Debts, and all movable Goods, which they shall have in the Countries under the obedience of the King of *France*, according to their Will and Pleasure; and after their Death, whether they have made a Will or no, their Heirs shall succeed according to the Laws of *England*, so that their Goods shall not be confiscated by the Right of Escheatage. And in like manner the *French* shall dispose of their Goods, which they shall have in *England*,

land, &c. and after their Death, whether they have made a Will or no, their appointed and lawful Heirs shall succeed to them; provided however that the Testaments and next Successions, as well of the Subjects of the Queen of *England*, as of the King of *France*, be lawfully prov'd either in *England* or *France*, viz. in the Country of that Prince where they shall die.

XXXI. It is agreed, &c. That within four months, reckoning from the date of the present Treaty, or sooner if possible, it shall be agreed and establish'd betwixt the said most Christian King, and the said most serene Queen, what shall be the Place where the said Magazine or Storehouse shall be fix'd and settled in *France*, and what Immunities, Privileges and Franchises shall be granted to the *English* in *France* for this purpose. And in like manner what shall be the Quantity and Quality of the Gabels, Toll and Custom, and other Duties to be taken and laid upon the said Merchandizes; as also how to take away and moderate the Duties to be impos'd and laid upon the Subjects of the one and the other Prince respectively. And of all this there shall be an authentick Instrument drawn up in due form, to be given to both Princes within the foresaid time.

XXXII. It is moreover agreed, &c. That within two months, reckoning from the time agreed and fix'd by the said authentick Instrument, the most Christian King shall get the Courts of the Parliament of *Paris*, *Roan* and *Bordeaux*, to approve by Judgment, consent to, and ratify in the best manner and form that can be, all and every the things that shall be agreed and establish'd concerning the Intercourse of Merchandize and Commerce, in as full and particular a manner, as is contain'd in the preceding Article concerning Traffick and Commerce. In like manner also the most serene Queen of *England* shall, after the same sort, and within the same time, cause the same things to be ratify'd, confirm'd, approv'd and register'd, in *perpetuam rei memoriam*, in the Court of Common-Pleas, Queen's-Bench or Chancery, that so all Doubt and Difficulty that may arise may be remov'd, and that for the future this strict Friendship may go on surely, and come down to their Successors.

XXXIII. It is agreed, &c. betwixt the said most Christian King, and the said most serene Queen of *England*, being mov'd by the greatest Reasons to restore the Tranquillity and peaceable State of the Kingdom of *Scotland*, which is torn in pieces by the Divisions that are in that Country, That in case the Remedies and Means hitherto thought of by the said Princes, for quieting and settling that Kingdom, shall prove ineffectual, then the said most Christian King, and the Queen of *England*, shall jointly send, with all possible speed, Ambassadors of the greatest Authority, who interposing the Favour and Power of the said Princes, to whom the Preservation and Quiet of the Kingdom of *Scotland* is of greater Concern than to all other Christian Princes, shall be at the utmost Pains, and use their best Endeavours to reconcile the different Factions in *Scotland*, so that a firm and general Peace may be restor'd thro the whole Nation of *Scotland*, and that Kingdom may continue in the most antient Amity and Confederacy with these two Princes, and their Kingdoms, and by this means be plac'd in greater Security, and without danger of Attacks and Enterprizes from other foreign Princes.

XXXIV. It is agreed, &c. That the said Princes shall not undertake any thing, directly or indirectly, openly or secretly, contrary or in prejudice to the Crown of *Scotland*, the Provinces and Dominions depending thereupon; but shall rather do and provide every thing that is proper for the Defence and Preservation of the said Kingdom, without endeavouring to change the State, contrary to the publick Laws, Customs, Ordinances and Statutes of the Estates of *Scotland*. And that that Kingdom may be the better able to defend it self against Strangers, the said Princes shall imploy their Power conjointly, or one of them separately, that no other Prince, or other Person, upon any pretence or colour, send into *Scotland* any foreign arm'd Men, secretly or openly, to make War against, or in that Kingdom, or pass thro it; and that they fortify no Place or Port there, nor favour and support any Party or Faction, contrary to the Will and Pleasure of the said most serene Princes. Nevertheless the said most serene Queen of *England* declares, that some of the *Scots* Nation, full of evil Intentions,

tions, and disaffected, having, contrary to Alliances and Treaties of Peace, solicited certain *English* Rebels, in order to renew the Troubles in *England*; having supported them with their Means, and assisted them to uphold them in their Rebellion; and not only so, but having receiv'd into *Scotland* a great number of such Rebels, and having, together with them, spoil'd and pillag'd the Borders of *England*, so that the most serene Queen of *England* was constrain'd to drive them out by force, who notwithstanding having been again receiv'd by the *Scots*, were by them assisted and stir'd up: Whereupon the said most serene Queen having often advertis'd and exhorted them, according to the form of the Treaties made on both sides, upon the account of which it hath formerly happen'd, as was just and lawful, that she has been oblig'd to force the *Scots* by Arms to dismiss and banish these *English* Rebels out of their Country. It is therefore lawful for the said most serene Queen, this Article notwithstanding, after having admonish'd and exhorted them, according to the form of Alliance and Treaties made and enter'd into betwixt the two Kingdoms, to pursue with Arms and Force such *Scots* as shall favour or receive the *English* Rebels, who are either in *Scotland* at present, or who may go into *Scotland* afterwards, that so, agreeably to their Treaties, they may either deliver up such Rebels, or at least banish and shut them out of the Kingdom. And in case any of the *Scotch* Nation should also be guilty of the like Offence against the most Christian King, *viz.* of favouring or harbouring his Rebels; it shall in like manner be lawful for the said most Christian King to use the same right with the Queen, to chastise that Offence: And all these things shall be done agreeably to the Form of the Treaties between the said Prince and the Kingdom of *Scotland*.

XXXV. It is agreed, &c. That if there be any Soldiers or Garisons sent into *Scotland* by either of the said Princes, or if any Places or Fortresses be held by them in *Scotland*, the said Princes shall recall the said Soldiers and Garisons, and leave the said Places and Castles in the power of the natural *Scots*, within forty days after the date of these Presents.

XXXVI. It is agreed and concluded, That this present Treaty of Alliance shall have the sense and meaning that the Propriety and Force of words carry and signify, and shall receive no Interpretation that may hinder its Virtue, Form and Effect, express'd by plain and simple words ; but all subtle Disputes laid aside, which use to destroy the true and sound Intention of the Parties contracting, what is contain'd and express'd, *bona fide*, in these present Conventions and Capitulations, shall be entirely and sacredly fulfil'd and observ'd.

Which Compacts and Articles above specify'd, and every one of them, have been treated, agreed, pass'd and reciprocally stipulated, between us the foresaid Deputies and Ambassadors, in the names of the foresaid Princes, and by virtue of our Authority and Commissions. And we the Deputies of the most Christian King have promis'd, that the said King, our Sovereign, shall oblige himself to keep and observe them, by touching the Holy Gospels, when he shall be duly requir'd thereto by the Ambassador or Ambassadors having sufficient Authority and Instructions for that purpose ; and besides, that he will ratify, authorize and confirm all and every the Articles contain'd in the present Treaty by Letters Patent, sign'd with his own Hand, and seal'd with his Great Seal : Which Letters of Ratification, conceiv'd in sufficient and valid form, the said most Christian King shall give and deliver *bona fide*, really and effectually, within three months, to the Ambassador or Ambassadors of the said most serene Queen, who shall be warranted with sufficient Powers for that Effect. And in like manner we the foresaid Ambassadors of the said most serene Queen have promis'd, that all which the said most Christian King is oblig'd by this Article to do and fulfil, the said most serene Queen, our Sovereign, shall do and fulfil the same, in the same time, and in the same manner and form.

A Treaty of Alliance between Elizabeth Queen of England, and the States General of the Low Countries, concluded about the End of the Year 1577. and ratify'd the 7th of January, 1578.

THAT the Queen of *England* shall deliver to the States General, Instruments of Obligation, or Letters of Credit, as well from her self, as from the City and Community of *London*, in order to raise, where they can, the Sum of a Hundred Thousand Pounds sterling, or the value of Two Hundred Thousand Crowns in Silver; obliging her self, and the City of *London* for the said Letters. And for the Security of what is above-mention'd, the States shall deliver to her the Obligations of some particular Towns in the *Low Countries*, which the Queen shall accept of, on condition of re-imburserg the said Mony in one year, and of paying all interests.

The Queen shall send to the States Five Thousand Foot, and One Thousand Horse; and for their payment the States shall deliver and pay as much Mony at *London* as they shall have cost and serv'd for from the day of their Imbarkation, and shall give them as good Wages as any other Nation. When the War is ended, they shall be sent over at the Charge of the States. They shall promise to the Heads and Commanders of the said Army, to be present at the Assembly of the States, and to treat there of such Affairs as offer themselves. Nor shall they settle any matter of Importance, as of Peace or War (during the War) without the Advice and Consent of the Queen, or her Deputies, whom she may send to the *Low Countries* for that purpose. That the States shall make no Alliances, nor secret Contracts with any Princes or Potentates, but with her
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Consent, and comprehending her in the said Alliances, if she pleases.

If any Prince, People or City should attempt any thing to the disadvantage and prejudice of the Quiet of the State of *England*, on pretence of Religion, or on any other pretence whatsoever, the States General shall then be oblig'd to assist the Queen with a like number of Men, and at the same Expence. If any Debate or Difference arise among the States, they shall refer themselves to what the Queen, or her Deputies, authoris'd for that Effect, shall pronounce. That if the Queen shall be oblig'd to defend her self by Sea, they shall promise to send, on her demand, forty Ships of War, well equip'd and man'd, and sufficiently furnish'd with Provisions and Arms, to join her Royal Fleet, and to resist her Enemies. The said Ships shall likewise be under the Command of the Queen's Admirals, all at her Expence and Charge. The least of these Ships shall not be under forty Tuns, and the number of the Seamen and Soldiers shall be in proportion to the Largeness of the Ships.

The States shall not suffer any *English* Rebels to remain in the *Low Countries*, especially if the Queen has declar'd them to be such. When the States General are about to make Peace, or any other Composition and Agreement with the King, they shall be oblig'd to send to her to have the Articles confirm'd by her, which shall be as many, and such as she shall please, &c. This Contract was confirm'd the 7th of *January*, in the year 1578.

A Treaty between Elizabeth Queen of England, and the States of the United Provinces, by which the said Queen engages to assist the States on certain Conditions. Made at Nonfuch the 10th of August, 1585.

THAT the Queen of England shall send to the *United Provinces* an Assistance of Four Thousand Foot and Five Hundred Horse; but a little after she resolves to send Five Thousand Foot, and a Thousand Horse, under the Conduct and Command of a Governor-General on her part, who shall be a Person of Quality and Esteem, well inclin'd to the true Religion; and under other good Leaders and Commanders, who shall all be paid by the Queen during the War.

II. That for returning of the said Wages, the *United Provinces*, as well in general as in particular, shall oblige themselves, when by the Grace of God, and the Assistance of her Majesty, they shall be settled in Peace and Quiet, to pay all that her Majesty shall have disburs'd, as well for levying of Men and their Transportation, as for their Wages the first year, which shall be return'd the first year of the Peace, and the rest in the four following years, every year a fourth part; and that according to the reckoning of the Commissaries on both sides, on the same foot that the Agreement was made.

III. For the greater Security of this Restitution, the States shall put into the hands of such Governors as her Majesty shall please to depute, within one month after the Confirmation of the Contract, the Town of *Flushing*, and the Castle of *Rammekins* in the Isle of *Walcheren*, and the Town of the *Brill*, with two Fortresses in *Holland*, to be garison'd by her Men till her Majesty shall be fully paid in the City of *London*, for all she has disburs'd and laid out. If the States find it convenient for the common Quiet, and for main-

taining the Union enter'd into, that some other Towns or Fortresses should be garison'd by her Majesty's Soldiers, they may take them out of the foresaid Five Thousand Foot and Thousand Horse.

IV. The Cautionary Towns and Forts given to her Majesty, shall be provided with Artillery, Pouder and other Ammunition, in such manner as her Majesty's Governor-General shall think expedient for the Defence and Preservation of the said Places; provided that every thing be inventory'd, that so proper Restitution may be made afterwards.

V. The States shall hold no Garisons in the said Towns and Fortresses, but shall only have some Persons of Quality there in the Government of the Civil Policy, who shall live in those Places: That her Majesty's Governors may command there in what concerns the Defence and keeping of the Places; for it must be well understood and notic'd, that they shall not in any manner meddle with the Policy or Civil Government of those Places, but shall only command the Garison in particular.

VI. The Commanders and Soldiers of the Garisons shall not hold any Communication, Intelligence, Correspondence or Familiarity with the *Spaniards*, Enemies of the States, nor suffer others to hold any; but shall show them all sort of Enmity, in what concerns the Security of these Places.

VII. The Cautionary Towns and Forts (as to their Policy, Jurisdictions, Privileges, Rights and Franchises, according to their general and particular Unions and Agreements) shall retain their own Laws, Magistrates and Governors, without being oblig'd to pay any Contributions or Imposts to her Majesty or her Soldiers.

VIII. The *English* Garisons shall be oblig'd to pay Imposts, like the other Garisons in the Country; but then these Imposts must not be rais'd or heighten'd, without the Consent of her Majesty's Lieutenant General.

IX. And that the Burghers and Inhabitants of the Towns may not be oppress'd by the Garisons, her Majesty shall take care of their Payment, and that they be kept under good Discipline; and the Inhabitants shall not be molested about the fulfilment of this Contract,

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in as far as it concerns the States General, provided they do what they are particularly oblig'd to do.

X. When her Majesty, or her Successors, shall be paid for all Expences and disburfing of Mony, then the said Towns and Places shall be restor'd into the hands of the States, with all their Artillery and Ammunition, without any scruple or reserve; nor shall it be lawful to leave them in the hands of the King of *Spain*, or any other Enemies of the Country, or under the Obedience of any other Prince or Lord, but only for the Security of her Majesty, and the Interest of the said States.

XI. The Commanders and Governors of her Majesty's Garisons shall take an Oath of Fidelity both to her Majesty, and to the States General, for the Preservation of the said Towns and Forts, and their Dependencies; as also for the Preservation of the true Religion, according as it is exercis'd at present in *England* and the *United Provinces*; and to maintain, and cause to be maintain'd this Treaty, in as much as it concerns them. The Officers, Captains and Soldiers of the said Garisons shall, in like manner, take an Oath of Fidelity to her Majesty and the States General of the said Provinces; and in like manner to be obedient to their Commanders and Governors, as the Inhabitants of the said Towns shall also do.

XII. When the Soldiers are in the Field, they shall be quarter'd, and furnish'd with Provisions at a reasonable Price, without being charg'd with any Impositions, as to Provisions and other Necessaries; but shall be treated in the same manner with the other Soldiers of the States General.

XIII. The Governors of the foresaid Towns shall be paid their Wages, or the Pay of their Garison every month, and her Majesty shall cause the Pay to be kept in the same Towns, provided it be not more than the Garisons that live there, six months before it be transported from the said Towns and Places; on condition also that it be not taken ill, if the Payment should sometimes come eight or ten days too late.

XIV. The Governor and Garison shall be allow'd the free exercise of their Religion, as in *England*; and for

this end there shall be a Church provided for them in each Town.

XV. Those Garifons shall be treated like others that have been before them, as well with regard to their Quarters, as their Provisions : And the States shall order that they have the same Provisions, at the same Price with the Inhabitants of the same Towns and Forts ; and they shall be furnish'd with Powder, Match and Ball, in such quantity as the Garifons of the said Towns and Places were wont to receive, and which those in other Towns and Places receive.

XVI. It shall be lawful for her Majesty, besides the Governor who shall be there on her part, to bring in two of her Subjects into the Council of State, being Persons qualify'd and making Profession of the true Religion ; and also into the Council of War, when it shall be necessary, such Persons as the Governor and the Council of State shall think fit, and according as Affairs require. And the two Governors, establish'd in the garifon'd Towns, may be also present in the Council of State, when they find it necessary and expedient for any Affairs which concern her Majesty's Service, and the Preservation of the *United Provinces* ; yet without being reckon'd as Members of the said Council.

XVII. The foresaid Governor-General, and the Council of State, shall in like manner reform the Abuses committed about the Money in the said Provinces, and reduce it to a certain Standard ; and shall order that the current Money in the said Provinces, or any other part, may not be chang'd, in order to raise the Value of it, without the Consent of her Majesty, or of her Governor.

XVIII. The said Governor-General, and Council of State, may use their Authority to redress the Abuses that are committed in the matter of Imposts, to retrench the number of Officers, and cause the Pay to be employ'd to the best advantage against the Enemies of the Country, as well by Water as by Land.

XIX. Her Majesty, or the foresaid Governor-General on her part, with the Council of State, shall have regard to the Re-establishment of the publick Authority, and the Observation of military Discipline ; both which are very much neglected and fallen into decay at present, because

because of the equal Power of the Governors, and the great Confusion of Counsels.

XX. The same Governor-General, and Council of State, shall have regard to whatever concerns the Preservation of the common Weal; taking special heed, that they make no change to the prejudice of the true Religion, or the Rights, Advantages, Privileges, Customs, Franchises, Statutes and Ordinances of these States, Provinces, Members, Towns, Colleges or Inhabitants, as well in general as in particular.

XXI. The States, as well in general as in particular, shall not treat with the Enemy without the Knowledge and Consent of her Majesty, nor with any foreign Princes or Potentates without her Knowledge, or the Knowledge of her Governor-General.

XXII. Her Majesty shall likewise be pleas'd not to treat with the King of *Spain*, or any other Enemy of the States, about any thing that concerns the *United Provinces* in general or particular, without the Advice and Consent of the States General, who shall be regularly call'd together thereupon.

XXIII. The levying and paying of the foreign Troops, which may be necessary for the Defence of the Provinces, shall be made by the Governor-General, and the Council of State, with the Consent of the States General.

XXIV. When any Governors of Provinces, or Frontier Towns come to die, or to be chang'd, the States or Provinces where that happens shall name or propose two or three Persons qualify'd of the Reform'd Religion; one of whom the Governor-General, and the Council of State, shall chuse and appoint.

XXV. As often as her Majesty shall, for the common Defence, fit out a Fleet of Men of War, to resist any Fleet of the Enemy, which might come into the *Straits*, between *France*, *England* and the *United Provinces*, the States shall also equip as many Men of War as her Majesty, provided they do not exceed the number which the Prince of *Orange* order'd to be drawn out by the *Sieur Deyer*, in the year 1584. or if necessity require it, or the States be able to bear it, the *Dutch Fleet* shall join that of her Majesty, and shall be altogether under the Command of the Admiral of *England*. But let it

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be observ'd, that the Booty shall be equally shar'd, according to the Expence that shall be respectively made on both sides.

XXVI. Her Majesty's Ships shall always have their free liberty to enter into, or go out of the Havens and Rivers of the *United Provinces*, and shall be there victual'd at reasonable Rates. And in like manner the Men of War of the *United Provinces* shall have the same Liberty and Privileges in all the Rivers and Harbours of *England*, and her Majesty's other Dominions.

XXVII. To quiet the Difficulties that may arise between the Provinces, or any Towns, and which cannot be settled by the ordinary way of Law and Justice, they shall be sent to her Majesty, or her Governor-General, in order to advise about them, and put them to rights, with the Council of State in the *United Provinces*.

XXVIII. Her Majesty's Subjects shall be allow'd to transport the Horses they have bought in the *United Provinces* into *England*, paying the common Duty, provided they do not carry them elsewhere.

XXIX. The *English* Soldiers, who have a mind to return to *England*, may pass freely, without any other Passport than what is sign'd and seal'd by the General; provided that the number of the *English* Soldiery remain compleat, and that the States be put to no Charge for the levying and transporting of such as shall be rais'd in place of those who have been discharg'd.

XXX. The Governor-General, the chief Commander, the Colonels, Captains, Officers and other Soldiers belonging to her Majesty, shall take the ordinary Oath, as to the States of the said Provinces, reserving the Homage which they owe to her Majesty. This Contract was agreed to, and confirm'd in the Form aforesaid, at *Nonsuch*, the 10th of *August*, 1585,

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The Placard of the States General of the United Provinces, conferring the Government of their Countries upon the Earl of Leicester, Feb. 6. 1586.

THE States General of the *United Provinces*, to all who shall see or hear these Presents, Health and Love. Whereas her Royal Majesty of *England* hath been pleas'd to send hither the most serene Prince and Lord, *Robert Earl of Leicester*, Baron of *Denbigh*, one of her Majesty's Privy Council, Knight, by her Order, to establish and appoint his Excellency not only Generalissimo of all her Majesty's Cavalry and Infantry, which she has already sent, and is to send into this Country, and to assist us with his Counsel, Advice and Deeds, according to his great Prudence, Wisdom and Experience, for the Direction of the common Affairs of this Country, both with relation to the War and otherwise, and the Preservation of the common Weal of these Countries, and to bring them to good Order and Regulations, as they have been formerly; by which means we shall be able to defend ourselves against the Violence and Tyranny of our Enemies, and render all their Practices and Efforts vain: but likewise to honour his Excellency with a greater Authority, Power and Command over her Majesty's Admirals, Vice-Admirals, and Ships of War, to command them, and employ them in the Service of these Countries, as his Excellency shall think it most for the Interest of the said Countries. And his Excellency, according to her Majesty's Commands, being willing to testify the good Inclinations and Affection he has had a long time for these Countries, and the Preservation of the true Christian Religion, has been so good as to quit his own Country, Relations and Estate, to come amongst us, so that we could not have felt greater Benefits than her

90 *Dutch Placard for conferring the*

her said Majesty and his Excellency have shown us : Therefore we have with good and mature Deliberation been desirous to demonstrate to every one, that we have pray'd, accepted and appointed the said most serene Prince to be Governor and Captain-General of all the *United Provinces*, Towns and Members associated to them ; and that besides the Authority he has from her Majesty, we have given his Excellency the supreme Command and absolute Authority over all the Affairs of War by Sea and Land, to make use of, and employ it for Defence against the Enemy, as his said Excellency shall find it expedient for the Good of this Country, and to do moreover all that a good Captain-General is oblig'd to do. And besides this, we have put into his hands the Administration and Direction of Government and Justice over all the said *United Provinces*, Cities, and associated Members, to rule and govern them with such Power and Authority, as the preceding Governors of these *Low Countries* have lawfully done, and particularly from the time of the Emperor *Charles* the Fifth, always saving the Rights and Privileges of the said Countries ; with special power to levy, receive and administer all the Contributions granted and appointed for carrying on the War, and which shall be granted and appointed for that end, already put, or to be put into the hands of his said Excellency ; and all this according to what is more fully contain'd in a certain Writing drawn up on this Head. All which Offices and Commission his Excellency has at our urgent Prayer accepted of, and has taken a solemn and proper Oath for these in our hands, chiefly for the Preservation of the true Christian Religion, and the Defence of the Privileges and Rights of these Provinces and Cities, and the Members thereof. We command and ordain for this effect all Governors of Provinces and Cities, all Admirals and Vice-Admirals, Generals, Colonels, Captains, Officers and Soldiers by Sea and Land ; and moreover all Counsellors, Treasurers, Receivers, Bailiffs, Scouts, Marshals, Drosarts, Grietmans, Magistrates, Nobles, Vassals, Burghesses, and other Inhabitants and Subjects of these Countries, of what Quality or Condition soever they be, that they acknowledg, honour, respect and obey his said Excellency in the said Quality of Governor and

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Captain.

Government on the Earl of Leicester. 91

Captain-General over all the said *United Provinces*, as is due, and without making the least difficulty in so doing, on pain of incurring the Displeasure of his said Excellency, and of being punish'd according as the Case requires, and Law ordains. And that no Person may pretend any Cause of Ignorance, we expressly ordain and command, to make known, declare and publish this Ordinance thro all Places where Publications are us'd to be made; proceeding, and causing to proceed against all Contraveners by the Penalties above-mention'd, without any manner of Favour or Dissimulation to the contrary. For thus have we judg'd it to be proper for the Advancement of these Countries.

Given in our Assembly at the *Hague* the 6th of *February*, 1586. by Order of the foresaid Lords the States General,

Sign'd,

C. AERSSSEN.

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A Placard of the States General of the United Provinces, importing, That the Earl of Leicester has laid down his Government and Charge of Captain-General of the said Countries : That the People, and all others, are discharg'd from their Oath taken to the said Earl, the Oath taken to the said Country remaining in its full force notwithstanding : That the General Government of the same Countries, with regard to what concerns the common Defence, their Union and Treaties, is remitted to the Council of State ; with a Prohibition to all Persons whatsoever to attempt any thing tending to a Change of the State of the Country, April 12. 1588.

THE States General of the *United Provinces*, to all who shall see and hear these Presents, Health and Love. Whereas her Majesty the Queen of *England* was graciously pleas'd to enter into a Negotiation with the Deputies and Envoys of the foresaid Provinces, and at last to conclude a certain Treaty with them on the 10th of *August*, 1585. by which it is particularly agreed, That during the War against the Enemies of the said Countries, Foreigners, Malecontents and their Adherents, her Majesty should, for the Succour and Assistance of the foresaid Provinces, and for the Preservation of them, and for the Defence of the true Christian Religion there, together with their Liberties,

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erties, Privileges and Rights, maintain in these Countries, at her own Expence (besides the Garisons of the Towns and Places made over to her Majesty as a Security for the Reimbursement of the Mony laid out by her) to the number of Five Thousand Foot and a Thousand Horse, commanded by a Governor General, a Lord in Name, Quality and Esteem, and professing the true Christian Religion, and other good Commanders; on condition that the said Provinces in general, and every one of them in particular should be bound and oblig'd to pay and reimburse her Majesty for her Expences, at certain Terms after the War. And that to assure her Majesty of the compleat Payment and Reimbursement aforesaid, there should be put into her hands the Towns and Forts of the *Brill* and *Flushing*, with the Castle of *Rammekins*; which her Majesty, or Successors, after the said Payment and Reimbursement made, should cause to be put again into the hands of the States of the fore-said *United Provinces*, without any difficulty or scruple: to which they should not retain any Right, and which they should not let fall into the hands of the King of *Spain*, or other Enemy of that Country, nor into the hands of any other Prince or Lord; but that they should be kept only, during that time, for her Majesty's Security, and the Advantage of the States of the said Countries. Which Governor, and two other Persons qualify'd, whom the said Queen should send of her own Subjects, to bring them into the Council of State of the *United Provinces*, should administer with the said Council the Affairs concerning the common Defence and Union of the said Countries. In consequence of which Treaty, the said Towns and Forts having been put into the hands of her said Majesty, she was pleas'd to send hither, with the Commission of Governor-General of the Auxiliary Troops, the most serene Prince *Robert*, Earl of *Leicester*, Baron of *Denbigh*, &c. And moreover we thought fit to pray, accept of and appoint him Governor and Captain-General over all the *United Provinces*, Towns and Members thereto associated. Which Charge having been accepted by his Excellency, with the Reserve of the Homage due by him to her said Majesty, all the Governors of these Provinces, Towns, and the Members thereof, together with all the Officers, Justiciaries

ticiaries and Soldiers, were, in consequence of this, bound by Oath to obey his Excellency, in quality of Governor and Captain-General of the *Low Countries*, together with the said Countries in general and particular. But it having pleas'd her Majesty to recal his said Excellency, to employ him elsewhere in her Kingdoms in her Majesty's Service, so that his said Excellency not being able to attend the Government of these Countries, as the Duty of his Charge and Commission requir'd in these difficult times, his said Excellency has laid down, and is discharg'd from the said Charge of Governor and Captain-General of the said *United Provinces*, and from the Commission which was given thereupon by us to his Excellency, and has remitted it into our hands, as appears by an Act sign'd by his own Hand, and seal'd at *London* on the 17th of *December*, 1587. It has also pleas'd her said Majesty to appoint the *Sieur Peregrine*, Baron of *Willoughby*, *Beke* and *Thersby*, &c. General of her Auxiliary Troops in the Government of these Countries, by a Commission dated the 24th of *December*. And considering that in these difficult Times and Conjunctions of the Affairs of these Countries, they cannot without danger be without a General Government :

Therefore we, after good and mature Deliberation, and for the foresaid Reasons, have been pleas'd to notify and make known to all, That his said Excellency, according to the foresaid Reserves, is discharg'd from the above-mention'd Commission ; and that in consequence of the good Pleasure of her said Majesty and his Excellency, his said Excellency being discharg'd thereof, we have remitted the general Government of the said Countries, as to what concerns the common Defence and Protection, and the Union thereof, together with the maintenance of the Treaty made with her Majesty, into the Hands and Administration of the Council of State of the foresaid Countries, to be guided and administer'd as to what concerns the Defence and Union of the said Countries against the common Enemy, by the foresaid Baron of *Willoughby*, Governor-General of her Majesty's Auxiliary Forces ; by the Governors of the respective *United Provinces*, and the two Counsellors her Subjects, and by the Counsellors deputed, and to be deputed by us of the *United Provinces* ; the whole in conformity to
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from their Oath to the Earl of Leiceſter. 95

the foreſaid Treaty, Reſolution and Inſtruction thereupon by us given, taken, and to be taken. We give notice for this effect to all Governors and Captains of Provinces, Towns and Members thereof, to all Admirals and Vice-Admirals, to all Generals, Colonels, Captains, Officers and Soldiers by Sea and Land, and moreover to all Presidents, Counſellors, Officers, Treafurers, Receivers, Bailiffs, Eſcorts, Mareſchals, Droſſarts, Grietmans, Magiſtrates, Nobles, Vaſſals, Burgeſſes and Subjects of theſe Countries, of whatever State or Condition they be, and to all others (if needful) that they, and every one of them, are freed and diſcharg'd from their Oath, by which they may have been engag'd to his Excellency the Earl of *Leiceſter*, in the Quality which he had in theſe Countries. Exprefly ordering and commanding them, by theſe Preſents, that they look upon themſelves as exempted, freed and diſcharg'd of it by theſe Preſents; the Oath by them taken to be faithful to the ſaid *United Provinces*, States, Towns, and other Members thereof, and to obey the Powers which we have eſta bliſh'd for them, or ſhall afterwards eſta bliſh, remaining in its full Force and Obligation notwithstanding. Which Oath we ordain them to execute faithfully and honeſtly, as they will answer it to Almighty God, and the Provinces; or otherwiſe the Contraveners ſhall be proceeded againſt according to military Diſcipline, and as the Law directs. And as there has been nothing agreed, treated or concluded with her Ma jeſty of *England*, on the part of theſe Countries, but what is mention'd above; and as we are aſſur'd, according to divers Declarations by her Ma jeſty, that ſhe has no other Pretenſion upon the Countries, Towns, Members and Inhabitants thereof, but the Obſervation of the foreſaid Treaty, which we on our part have always deſir'd, and do yet deſire to execute and fulfil in every reſpect faithfully, to the reaſonable Contentment and Satisfaction of her Ma jeſty; and likewiſe as her Ma jeſty hath ſeveral times expreſſy declar'd, that it is not her Intention, Inclination or Thought, that any Diviſion, Difference or Diſunion ſhould happen upon this account; and as notwithstanding this, we have certainly experienc'd, that divers Inhabitants of the foreſaid Provinces being miſinform'd about the foreſaid Diſpoſition and Negotiation,

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imagining things that have no being, and forgetting their Duty, have done several things against the Quiet and Union of the foresaid Provinces in general and particular ; and as, under this pretence, other malicious Minds, for the most part Strangers, and coming from other Provinces into these Countries, and having little or nothing to lose in these Countries, have endeavour'd, by their restless and turbulent Disposition, to seduce the Inhabitants of the foresaid Countries by their open Practices and false Pretences, and to set others loose, and excite them to Sedition, insomuch that some won over by the Enemy have endeavour'd to make the Soldiers, who are in the Service of this Country, mutiny, and excite them to Treason, for which they have falsely made use of her Majesty's Name and Authority ; and as many born out of the Country have been bold enough to speak against the State of these Countries, Towns and Members thereof, and use them as if they were subject to their vain and seditious Fancies, and as if it were allowable for them to attempt all the Novelties which they think proper, without considering that it is their Duty to live in Quiet and with Modesty, by enjoying the Protection of these Countries, like the natural born Subjects of them ; and all this under Pretext, and in the Name and Authority of her Majesty, who is very much displeas'd at it, as being contrary to her Mind and good Pleasure, since it cannot but cause the Ruin of all the foresaid Provinces ; for the Preservation of which, the good and faithful Inhabitants of the foresaid Provinces, and other good Countrymen who have been banish'd from other Provinces, and are retir'd to these Countries upon the account of Religion, have done and suffer'd so much, and who in former times have liv'd in so good Union and Quiet under their lawful Sovereigns, as well in Prosperity as in Adversity : We therefore expressly forbid and discharge every one by these Presents, of what Nation, State or Condition soever they be, that for the future they do not venture by Words, secret Practices, Writings or Actions, to attempt any Change, Innovation or Disturbance in the State of these Countries, among the Burgeesses, Inhabitants and Soldiers, being in the Service of the States by Sea or Land, whether under the Pretext, Name and Authority of her Majesty, or of his
Excellency

excellency of *Leicester*, or of any other, upon pain being proceeded against by us all together, by the States of the *United Provinces* respectively, or by the ordinary Officers, Justiciaries and Magistrates summarily, according to the Law and Custom of these Countries, and without Form of Process against the Disturbers of the publick Quiet, without respect of Persons, any Connivance or Dissimulation; and all this to serve for an Example to others.

And that no Person may pretend Cause of Ignorance, we ordain and command that these Presents may be publish'd thro all Places where Publications are us'd to be made; proceeding and causing to proceed against Transgressors upon the Penalties abovemention'd, without any Dissimulation or Favour to the contrary. For as much as we judg'd proper and convenient for the good and Preservation of these Countries. Given in our Assembly at the *Hague*, under our Seal hereto affix'd, the 12th Day of *April* 1588. Sign'd,

Egmont.

And it was written lower, by the Ordinance of the aforesaid Lords the States General, and sign'd,

C. Aerssen.

4 *Treaty of Confederacy and Alliance betwixt Henry the IV. King of France, and Elizabeth Queen of England, against Philip the II. King of Spain. At Greenwich, the 14th of May 1596.*

ELIZABETH, by the Grace of God, of *England, France and Ireland*, Queen, Defender of the Faith, &c. To all to whom these Presents shall come, Greeting. A certain Treaty having been concluded between certain Deputies as well from us,
Vol. II. H as

as from *Henry* the most Christian King of *France* and *Navarre*, our most Dear Brother and Cousin respectively, at our Castle of *Greenwich*, on the 14th Day of *May* last past, according to the Computation of the Church of *England*, for a mutual Defensive and Offensive League between us, our Dominions, Kingdoms and Subjects, for the Preservation and Security thereof against the Invasions and Attempts of the King of *Spain*, his Kingdoms and Dominions, and for the mutual Defence of our Persons; the Tenor of the said Treaty is as follows.

I. All former Confederacies and Treaties which are now in force between the foresaid most Serene King and Queen, and their Kingdoms, shall be confirm'd, and remain in their former Force and Vigour. Nor shall it be thought that they are departed from, but only so far as this present Treaty shall change or derogate from them.

II. This shall be an Offensive and Defensive Confederacy between the King and Queen, and their Kingdoms, States and Dominions, against the King of *Spain*, and his Kingdoms and Dominions.

III. All other Princes and States, whose Interest it is to guard against the ambitious Contrivances and Invasions which the King of *Spain* intends against all his Neighbours, shall be invited by the foresaid contracting Princes to enter into this Confederacy. And for this purpose the foresaid King and Queen shall send Ambassadors to as many Princes and States as the foresaid Confederates shall think proper, to excite them to enter into this Confederacy.

IV. As soon as conveniently can be, and as the Affairs of the foresaid King and Queen will permit, an Army shall be rais'd out of the common Forces, as well of the said King and Queen, as of all the Princes who shall enter into this Confederacy, in order to invade the King of *Spain*, and all his Dominions whatsoever.

V. It shall not be lawful for either the foresaid King or Queen to treat of any Peace or Truce with the King of *Spain*, or his Lieutenants and Captains, without the Consent of the other: which shall be signify'd by Letters sign'd by the said King and Queen's own Hand.

VI. But because the King has already granted a Truce in *Britain*, the Ambassadors promise, that when the said Truce is expir'd and shall be renew'd, then the King shall procure, as much as possible, that both the *Spaniards* and the *Britains* shall be oblig'd not to attempt any thing against the Kingdom of *England*, or the Subjects of the Queen, by Sea or Land, during the said Truce.

VII. And moreover, That the King shall make no General Truce with Provinces or Towns in the Enemy's Possession, without the Consent of the foresaid Queen. But if necessity require, that Governors be oblig'd to make a particular Truce with the Governors of Places belonging to the King of *Spain*, the foresaid Truce shall not be continu'd above two Months without the express Consent of the foresaid Princes.

VIII. Because the King of *Spain* does at this time attack the Dominions of the said King of *France*, which border on the Territories of the *Dutch*, with a great Power, the foresaid most Serene Queen shall raise and send him auxiliary Forces, as soon as she can after the signing of this Confederacy with the most Christian King, viz. four Thousand *English* Foot, whose Hire shall be paid according to the Reckoning and Computation annex'd to this Treaty; and they shall fight for the most Christian King against the King of *Spain* in the Provinces of *Picardy* and *Normandy*, and in the neighbouring and adjacent Parts belonging to the said King of *Spain*, provided they be not fifty Miles distant from the Port of *Bologne*.

IX. The said four Thousand *English* Foot shall serve the foresaid most Christian King for the space of six Months only, this present Year, without any exception: and afterwards in the following Years the like Auxiliaries shall be given for the same space of six Months, if the State of Affairs in the Kingdom of *England* can permit; in which the Queen's Affirmation and Opinion shall determine. And when the said six Months are expir'd, the said Soldiers shall have liberty to return into *England*, unless they be commanded to the contrary by the foresaid Lady the Queen.

X. The Sedition lately rais'd in *Ireland*, having been quieted and suppress'd, and the foresaid Lady the Queen

not like to have any Disturbances or Commotions in her Kingdoms and Dominions, it shall be entirely refer'd to her Will and Pleasure, whether or no she will augment the Subsidy of the four Thousand Foot.

XI. The foresaid four Thousand Foot shall be receiv'd into the Pay of the most Christian King, from the time of their Arrival in *France* till the day of their disbanding.

XII. And in the mean time, while they are in the Service of the said King, they shall be oblig'd to muster every Month, and take an Oath to the Commissaries deputed, or to be deputed by the most Christian King, always saving their Fealty and Allegiance, which they owe to their natural Prince; and their Wages shall be paid according to the Muster-Roll, and according to the Reckoning and Computation annex'd at the end of this Treaty.

XIII. The foresaid Lady the Queen shall promise to supply and renew from time to time, the Number that shall be wanting of the foresaid four Thousand Foot, within a month after every Muster; provided she be duly inform'd of the foresaid Deficiencies by the said King or his Lieutenant.

XIV. The Wages and Payment shall be made to these Soldiers by Officers, out of the Mony of the foresaid Lady the Queen, every Month; for which Wages and Payment to be thus made by the Queen, the said most Christian King shall be oblig'd to make plenary Satisfaction to the said Queen within six Months, after the foresaid Soldiers shall arrive in *France*: and for the Security of the said Payment, the said most Christian King shall deliver up to the Queen at the time when the foresaid four Thousand Foot shall arrive in *France*, four Hostages, proper Persons, both with respect to the Nobility, and the Wealth of the said Hostages.

XV. Besides the foresaid four Thousand Foot (if the foresaid most Christian King shall stand in need of a greater Number of Soldiers) the foresaid Queen shall allow the said King to levy in *England* three or four Thousand Foot, provided she can conveniently do so for the State of her Affairs: but so that the said King shall pay them their Wages, and all other Charges, out of his own Mony.

XVI. The *English* Soldiers thus in the Service of the most Christian King, shall be subject to the Officers of the most Christian King's Army; and shall be acquitted or punish'd for their Faults and Crimes by the Judges and Officers of the said most Christian King; on condition that the Colonels and Captains of the *English* Troops be call'd by the said Judges and Officers to assist at the said Trials.

XVII. But if it shall happen, which God forbid, that the foresaid Queen shall be invaded, and shall thereupon require the Assistance of the most Christian King, he shall be oblig'd within two Months after he is requir'd by Letter from the said Lady the Queen, likewise to furnish four Thousand *French* Foot, who shall be rais'd, and sent into *England*, at the Cost of the said Queen, and shall be in the Service of the said Lady the Queen for the space of six Months every Year, provided they be not oblig'd to march into *England* further than the space of fifty *English* Miles. The said Queen of *England* shall pay them their Wages, from the Day of their landing and arriving in *England*, according to the Reckoning and Computation annex'd to this Treaty below.

XVIII. The said *French* Soldiers shall be acquitted or punish'd by the Officers of the said Queen, provided the Captains of the said Troops be call'd to the Trials, as above.

XIX. The most Christian King shall also be oblig'd to supply and fill up the number of Soldiers that is wanting; and this the foresaid Queen of *England* shall require as above.

XX. The foresaid King and Queen likewise reciprocally promise, That if either of them shall stand in need of Arms, Powder, or other warlike Ammunition, it shall be lawful for both the Parties contracting, and their Commissaries, to buy them, and transport them into their Kingdom without any Impediment, provided this can be done without Hurt or Prejudice to their State; which shall be refer'd to the Affirmation and Conscience, as well of the foresaid King as of the Queen.

XXI. The foresaid King and Queen shall reciprocally defend the Merchants and Subjects of both Princes, so

102 *Treaty between Hen. IV. and Q. Eliz.*

that they may freely and securely trade, and exercise their Commerce in the Kingdoms and Dominions of either Prince, in the same manner as their own native Subjects do ; and they shall not suffer them to be incommoded by any Hindrance or Obstacle.

XXII. They shall also reciprocally allow their Armies and Forces to be supply'd and assisted with Victuals and necessary Provisions, as much as they conveniently can.

XXIII. Neither the most Christian King, nor his Successors shall suffer any Subject of the Queen of *England* to be put to trouble by the Inquisitors, or any other way, in Body or Estate, on the account of the Religion now receiv'd and approv'd in *England*: but if any Person shall endeavour or attempt to do so by any Authority whatsoever, the foresaid King shall by his Royal Authority forbid, and hinder it to be done ; and shall see that any Damage sustain'd be made good.

In Faith and Testimony of all and every one of which, we the Deputies, Ambassadors and Commissioners aforesaid have caus'd this Treaty, which is subscrib'd with our Hands, to be strengthen'd and corroborated by affixing our Seals. Done at *Greenwich*, the 14th Day of *May*, in the Year of our Lord 1596 according to the Computation of the Church of *England*, &c.

Sign'd,

Burghley,
G. Hunsd.
Henri de La Tour,
Cobham,

W. Buckhurst,
Ro. Cecil,
J. Fortescue,
A. de Harlay-Sancy.

A Treaty of Alliance and League between Henry the IV. King of France, Elizabeth Queen of England, and the United Provinces of the Low-Countries, to defend themselves against Spain. Done at the Hague, the 31st of October, 1596.

WHEREAS the most Christian King of *France*, and the most Serene Queen of *England*, in order to oppose the Attempts and ambitious Designs of the King of *Spain* upon all the Princes and Potentates of *Christendom*, have mutually agreed, concluded and sworn a League Offensive and Defensive, for the preservation of their Kingdoms, Countries and Subjects, against the Invasion of the foresaid King of *Spain* their common Enemy; and on this occasion their Majesties afore-mention'd have determin'd and resolv'd to join with them in this Confederacy their dear and good friends, the Lords the States General of the *United Provinces*, as having suffer'd more Damage than all the other Sovereign Princes and States: Therefore having been inform'd thereof, they have sent their Deputies on this side the Sea to us; and for the same Reason, we *Jerry de la Tour*, Duke of *Bouillon*, Viscount of *Turenne*, Marechal of *France*, with the Assistance of the sieur *de Buzenval*, Gentleman in ordinary to the said King's Bedchamber, and his Ambassador in ordinary to the said *United Provinces*; and we *George Gilpin*, Counsellor on the part of the most Serene Queen of *England*, introduc'd into the Council of State of the foresaid *United Provinces*, authoriz'd by her Majesty's Credential Letters, inserted at the end of the present Contract on the one part; and we the States General of the foresaid *United Provinces* on the other part, have made between us, in the Names of the foresaid Princes,

104 *Treaty of Alliance between Henry IV.*

the following Agreement, Treaty and Convention : viz. We Duke of *Bouillon*, with the Assistance of the foresaid *Sieur de Buzenval*, by virtue of the Power to us given by the foresaid King, which shall also be inserted at the end of this present Treaty ; and we *George Gilpin*, authoriz'd as above, have receiv'd and associated, and do receive and associate by these Presents, in Name of the foresaid most Christian King of *France*, and the most Serene Queen of *England*, and their Successors, the States General of the said *United Provinces*, viz. *Guelder* and *Zutphen*, *Holland* and *Westfrizeland*, *Overysse*, *Groningen* and *Omlanden*, with all the Members, Towns and Inhabitants thereof ; together with the Nobility and Gentry, Towns and Fortresses of *Brabant* and *Flanders*, which are at present united with the said States General ; together also with the Country of *Drent*, with the Provinces, Nobility and Gentry, Members and Towns of *Brabant*, *Luxemburg*, *Flanders*, *Artois*, *Haynault*, and other Provinces of the said *Low-Countries*, which shall afterwards join, and give up themselves to the Body of the said States General, within the space of two Years, reckoning from the Day and Date of these Presents, for the foresaid League Offensive and Defensive against the foresaid King of *Spain*, the common Enemy of all Persons, Kingdoms, States, Countries and Subjects, together with all their Sovereignties, Rights, Privileges and Liberties ; and this on the Clauses and Conditions of the foresaid Treaty, made between the said King and Queen ; the Tenor of which is as follows.

First of all, former Confederacies and Treaties which have been in force till this present between the said King and Queen, shall be confirm'd, and remain in their full Virtue and Vigour ; and it shall not be thought that they are departed from in any Point, but in so far as is derogated from them by this present Treaty. This Confederacy shall be Offensive and Defensive between the foresaid King and Queen, their Kingdoms, Estates and Dominions, against the King of *Spain*, and his Kingdoms and Countries : and all other Princes and States, who may find their account in guarding against the ambitious Contrivances and Invasions, which the King of *Spain* endeavours to put in practice against his Neighbours,

bours, may be invited to the said Treaty by the contracting Prince and Princess, and join themselves with them; and for that end, Envoys shall be dispatch'd from the said King and Queen to as many Princes and States as the Confederates shall think proper to excite to enter into the said Confederacy, as soon as it can be done conveniently, and as the Affairs of the said King and Queen can permit. There shall be an Army form'd of common Troops, as well of the foresaid King and Queen, as of the other Princes and States, who shall come into the said Treaty, to make an Invasion into the Kingdoms of the said King of *Spain*, and all his Dominions whatsoever, and to attack him. And it shall not be lawful for either the said King or Queen to make any Peace or Truce with the foresaid King of *Spain*, his Governors or Vice-Roys, without the mutual Consent of both, declar'd by Letters sign'd by the said King and Queen's own Hand: But because the King has already granted a Truce in the Dutchy of *Bretagne*, the Deputies promise, that as soon as the foresaid Truce shall expire, and want to be renew'd, the King shall then, as far as in him lies, take care that, so long as the *Spaniards* and *Bretons* are ally'd, nothing be attempted against the Kingdom of *England*, or the Subjects of the said Queen, by Sea or Land, during the whole time of the foresaid Treaty. And moreover, That the King shall make no general Truce with the Provinces or Towns that are under the Obedience of the Enemy, unless with the Consent of the said Queen; but if necessity should require this to be done in haste with the Governors of Places in the Obedience of the said King of *Spain*, the foresaid Truce shall not continue above two Months, without the express Consent of the foresaid Princes. The said King and the said Queen together promising reciprocally, That if either of the two shall stand in need of Arms, Powder, or other Instruments of War, it shall be lawful for him or his Commissaries to buy and transport them into his Kingdom; provided this can be done without Damage or Prejudice to the States of either of them: which shall be refer'd to the Conscience of the King as well as of the Queen.

They shall reciprocally defend the Merchants, who are Subjects of the said King and Queen, so that they may

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may be able to carry on their Commerce in the Kingdoms and Countries of both Princes, in the same manner as their own natural Subjects do; and shall not suffer them to be incommoded by any Hindrance or Obstacle. They shall likewise reciprocally allow the levying of Soldiers, and that the Armies of both sides be furnish'd with Victuals and necessary Provisions, as much as can possibly be done. The most Christian King shall not suffer any of the Subjects of the Queen of *England* to be tormented by the Inquisitors, or any other way whatsoever, in their Bodies or Estates, upon the account of the Religion at present exercis'd and approv'd in *England*: But in case any Person shall do so upon any Authority whatsoever, the said King shall hinder it by his Royal Authority, and shall cause the Damage sustain'd to be repair'd. Which League we the foresaid States General of the *United Provinces*, after mature Deliberation held in our Assembly with the most Serene Lord, the Prince of *Orange*, Count of *Nassau*, Marquis of *Tervere* and *Flushing*, Governor and Captain General of *Guelder* and *Zutphen*, *Holland* and *Westfriesland*, *Zeeland*, *Utrecht* and *Overyssel*, with the Towns and Fortresses of *Brabant* and *Flanders*, Admiral General; together with the Council of State of the foresaid *United Provinces*: and finding the said Confederacy and Alliance to be most honourable, advantageous and necessary for the Preservation of the foresaid *Provinces*, against the Ambition of the foresaid King of *Spain*, we have accepted, and do accept of the said League with all and every Article and Convention therein contain'd; by which their foresaid Majesties, their Successors to the said Kingdoms, and the foresaid Lords, the States General of the foresaid *United Provinces* shall be, and remain to be oblig'd respectively to the maintaining and observing of all the Points and Articles contain'd in the foresaid Treaty of Alliance.

We Duke of *Bouillon*, assisted by the foresaid *Sieur de Buzenval*, by virtue of our foresaid Power, promising to deliver and furnish within the space of six Months following, as soon as shall be possible for us, Letters of Ratification of the foresaid Alliance mention'd above, on the part of the foresaid King of *France*, in good and due form, for him and his Successors, into the hands of
the

the foresaid Lords the States General : as also we *George Gilpin*, authoriz'd as above, have promis'd, and do promise by these Presents to procure the Queen of *England's* Letters of Confirmation to their Lordships, also in good and due Form, and that in the foresaid space of six Months, or sooner if possible. During which time the said Treaty shall in the mean while be put in execution, and fulfil'd by the said King and Queen, together also with the said States General, in all its Points and Articles, according to its Form and Tenor, for the Preservation of the foresaid Kingdoms, Countries and States, together with the States, Countries and Subjects of all Kings and Kingdoms, Princes and Electors of the Sacred Empire, Lordships and Commonwealths, who shall join and be admitted into this League, according to the Contents of the foresaid most Christian King's Credential Letter.

The Insertion of the French King's Credential Letter.

MOST dear and good Friends, it has been our Intention for a long time to send you some Person, in whom we could put Confidence, to declare to you how much we have your good Offices at heart, and desire the Continuance of your Good-will, as also to signify to you the State of our Affairs, and the Desire we have of a more strict Union with you, for a particular Defence against the common Enemy; and having for this end made choice of our dear Cousin, the Duke of *Bouillon*, Marechal of *France*, and first Gentleman of our Bedchamber, we have order'd him to go to you, and propose something to you on our part. Wherefore we pray you to put confidence in him; and we assure you, That having earnestly recommended the Maintenance of our common Friendship, we will also embrace the Overtures that are made us, to fortify and enlarge it more and more, as our Cousin the Duke of *Bouillon* will tell you more clearly, in whom we have an entire Confidence: Beseeching God, most dear and good

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good Friends, to take you into his Divine and Paternal Protection. Written the 16th of *August*, 1596. Sign'd,

Henry.

And a little lower, from *Neufville*. The Inscription wrote, *To our Dear and Good Friends, the Lords, the States General of the United Provinces.*

The Insertion of the Queen of England's Credential Letter.

MY Lords, the Union which has been between us and the *United Provinces* for a long time, and the strait Connexion of our Affairs, has made us think it proper to communicate to you all that has pass'd among us concerning our common Interests. Therefore we have judg'd it would be very agreeable to you to acquaint you, That we have been solicited for some Months by the most Christian King of *France*, to enter into a Negotiation with him of a more particular and more firm Alliance Offensive and Defensive, against the common Enemy the King of *Spain*, altho the Actions and Enterprizes which we have executed for several years together against the said Enemy, and the Succours of Troops, as well as the diverse Garisons which we have sent as well to the said King as to you and others, ought to convince them, that no accidental Alliance can better demonstrate our Good-will, than the Resolution which we have taken a long time ago (at the desire of our State) to persist therein by all the Signs and Tokens imaginable, to oppose the shameful Ambition of our Enemies. Wherefore the better to shew the Firmness of our Resolution, we have been willing to enter into the Treaty propos'd. And in fine, our Cousin, the Duke of *Bouillon*, having made us a visit on the part of the King, with full Commission to negotiate and treat on the said Affair, there has been a Form of a League conceiv'd; which having been put in writing, and approv'd by the other side, it has likewise been ratify'd and confirm'd on our side with all the proper Solemnities. In the mean while then, as an Article of the League bears,
That

That the principal Contractors shall do their endeavours to invite other Princes and States, whose Interest it is to guard against the Ambition of *Spain*, to concur and enter into this Alliance; and the foresaid Duke of *Bouillon* having been with you for this purpose on the part of the most Christian King of *France*, after taking leave here, he will communicate to you the Contents and Articles of this League so well, that it will not be necessary for us to enlarge any more upon it, and he will pray you to enter into it.

Moreover, we being willing to satisfy the Engagement into which we have enter'd by this League, and because of the firm Union that is between us, we have been pleas'd to communicate what is above, adding thereto what we thought would be proper. Therefore once more, we are assur'd of your Friendship in what concerns us, and that you ought reasonably to be convinc'd of ours, considering the Effects and Advantages of it that you have felt and experienc'd, and that it would not be necessary to put your Alliance on more firm and settled Foundations; yet it has appear'd reasonable to us to invite you to accept of this League, principally because of the Reputation and Esteem which you will get in this Affair with the Inhabitants of your Country, when they see you supported, besides the Assurance of our Favour, by the Friendship of other confederated Princes, and particularly of the most Christian King of *France*: For altho the State of the said King's Affairs be such at present, that he will be the first that will find the Benefit of this League, yet if you consider your Affairs well, you cannot be ignorant that the King will hereby be in a better Condition, and more able to maintain the Confederacy, and even to attempt something on the Enemy's Country; so that this will be so much gain'd to you, who are the first Mark of the *Spaniard*. It is not necessary therefore to use many words to make you comprehend what the Duke of *Bouillon* is to require of you on the part of the most Christian King of *France*; for your ordinary Prudence and Wisdom in the matter of Business, will abundantly teach you what you have to do on this occasion. And therefore we shall say no more to you than what we have told you above, excepting only, That whatever you shall do in favour,

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and for the satisfaction of the King, our dear Brother, shall be very agreeable to us. In fine, having charg'd Mr. Gilpin, one of our Counsellors of State, to deliver this Letter into your hands, and to continue the Negotiation; it will not be necessary to authorize him by any other Credit and Confidence, than what is already acquir'd by a long Proof of his Capacity, and of his Fidelity and Sincerity, assuring you, that you may trust in him as in our self. Sign'd, *V. N. N.* your most affectionate, *Elizabeth* Queen: on the side, *11th* of September, 1596. The Inscription was, *To the Lords, the States General of the United Provinces of the Low-Countries.*

The Insertion of the full Power given by the King of France to the Duke of Bouillon.

HENRY, by the Grace of God, King of *France* and *Navarre*, To our Dear and Beloved Cousin, the Duke of *Bouillon*, Viscount of *Turenne*, Marechal of *France*, and first Gentleman of our Bedchamber, Greeting. Whereas, the better to oppose the Enterprizes of the King of *Spain* our Enemy, who would not only invade this Kingdom, and corrupt the Fidelity of the *French*, but also causes Disturbance to the greatest part of the Princes and States of *Christendom* by his ambitious Designs; we have undertaken to unite the Affections of the Princes our Neighbours and Friends, that so by the junction of our Forces we may resist him, and force him by Arms: We have already brought this Design a good length, by the Treaty of a League Offensive and Defensive, made not long since between us and the most Serene and Potent Queen of *England*, our dear Sister and Cousin, for the Preservation of our Persons, Kingdoms, Countries and Subjects, against the Invasions of the foresaid King of *Spain*. And as among the Princes whom we desire to join with us in this particular Defence, we have for a long time had considerable Proofs of all Friendships and good Inclination in our dear and good Friends the States General of the *United Provinces*; on this consideration we have judg'd it proper

per to invite them to a more strait Union with us in this League and Confederacy, as those who have more Interest therein than any other Neighbours; and being desirous to treat with them upon so serious and important an Affair, and to give the Charge thereof to some great and experienc'd Person, and Officer of our Crown, in order to shew the Importance of the Affair by the Quality of the Person made choice of; and knowing that on this occasion I could not employ a more worthy Person than you, as well for your good and virtuous Qualities, as because you have in Person, and in our Name treated the said League and Confederacy with the said Lady the Queen of *England*, and for the full Confidence we have in you: For this reason, as also on the sufficient Assurance we have of your Abilities, Probity and Diligence, we appoint, ordain and depute you by these Presents to go into the Provinces of *Holland* and *Zeeland*, if it be needful, to the foresaid Lords the States General, and with the Assistance of the Sieur *de Buxerval*, Gentleman in Ordinary of our Bedchamber, and Ambassador in the *Low-Countries*, to invite them to enter into the foresaid League and Confederacy with us and the foresaid Lady the Queen; and to treat, transact, agree and conclude with them, or with those who shall be deputed by them, the necessary Articles, according to the Memoirs and Instructions which we shall cause you to put into their hands; and this on the most advantageous Conditions that you can obtain for our Service; and to give and pass such Act, Transaction, Contract and Promise in good and authentic Form as shall be needful; and to oblige us and the Kings our Successors, together with the Revenues, Domains and Patrimonies of this Crown, in such Terms as you shall judg proper; and in general to do as above, with all the Circumstances and Dependencies, and in the same manner that we would do, or could do if we were there present in Person. And altho the Case requires a more special Power than is express'd here, yet we promise on the Word and Faith of a King, and on the Obligation and Mortgage of all our Goods and Wealth at present and to come, and those of our Successors to this Crown, and the Right thereto belonging, to hold acceptable, firm and stable for ever, all that shall

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be done, procur'd, promis'd, concluded and agreed by you in this matter; and to confirm, approve and ratify the whole as often as we shall be thereto requir'd; and to observe, fulfil and maintain it in every Point, according to the Form and Tenor thereof, and cause it to be inviolably confirm'd, fulfil'd and maintain'd, without making the least change therein, or doing any thing to the contrary, directly or indirectly, in any sort or manner whatsoever. And to do this, we have given and do give you by these Presents full Power, Authority, Commission and special Charge. Given at *Amiens*, the 9th of July. in the Year of our Lord 1596. and of our Reign the Seventh. Seal'd with a Seal in red Wax.

In Testimony of which, we the foresaid Duke of *Bouillon*, *Buzenval*, and *George Gilpin*, authoriz'd as above, have sign'd the present Treaty with our own Hands, and affix'd the Seals of our Coats of Arms thereto. And we the aforementioned the States General of the foresaid *United Provinces*, have thereupon caus'd the Great Seal of the foresaid States to be affix'd, and our Recorder to sign it. Done at the *Hague* in *Holland*, in the Year of our Lord 1596. the 31st and last Day of *October*.

Sign'd,

Henry de la Tour,
Paul de Choart,

Buzenval,
George Gilpin;

And seal'd with their Coats of Arms, and the Arms of the foresaid States in red Wax, and sign'd

C. Aerssen.

Now follow the particular Points which the Duke of Bouillon concludes in the Name of the King, with the foresaid States General, besides the foresaid General Alliance.

Even so be it, That this Day the 31st and last Day of the present Month of *October*, in the Year 1596. the most Christian King of *France*, and the most Serene Queen of *England*, have, by the most Serene Mon'

Monsieur *Henry de la Tour*, Duke of *Bouillon*, Viscount of *Turenne*, Marechal of *France*, and first Gentleman of the foresaid King's Bedchamber, and *George Gilpin* Counsellor, introduc'd on the part of her foresaid Majesty of *England* into the Council of the States of the *United Provinces* of the *Low-Countries*, their Deputies and Ambassadors, receiv'd the Lords the States General of the *United Provinces* of the *Low-Countries* into the League and Confederacy Offensive and Defensive, made a little while ago, confirm'd and sworn between their said Majesties, and their Kingdoms, States, Countries and Subjects, to bring the said League and Confederacy to its Perfection, and receive and associate therein the foresaid *United Provinces*, and for the Accomplishment and Execution of the same; that so the foresaid League and Association may be for the Honour of God, the common Good of *Christendom*, and the particular Security, Defence, Protection and Preservation of their Majesties, their Kingdoms, Countries and Subjects, and those of the foresaid *United Provinces*, and all the Princes, Lordships and Republicks, who shall afterwards enter into the said League and Confederacy. The said Duke of *Bouillon*, by virtue of the foresaid Power granted to him by the foresaid King, and assisted by the foresaid *Sieur de Buzenval*, Gentleman in ordinary of the Bedchamber of the said King, and his Ambassador in the foresaid *United Provinces*, for, in the name, and on the part of the said most Christian King on the one side, and the Lords the States General of the foresaid *United Provinces* of the *Low-Countries*, viz. *Guelder* and *Zutphen*, *Holland* and *West-Friseland*, *Zeeland*, *Utrecht*, *Friseland*, *Overyssel*, *Groningen* and *Omelanden*, with all the Members, Towns and Inhabitants thereof, and the Nobility and Gentry, Towns and Fortresses of *Brabant*, which are at present united with the foresaid States General, together with the Country of *Drent*: after mature Deliberation, and particular Examination of this matter in their Assembly, with the most Serene Lord, *Maurice*, born Prince of *Orange*, Count of *Nassau*, Marquis of *Trevere* and *Flushing*, Governor and Captain General of *Guelder* and *Zutphen*, *Holland* and *West-Friseland*, *Utrecht*, *Overyssel*, of the Towns and Fortresses of *Brabant*, Ad-
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miral General, &c. together with the Council of State of the *United Provinces*, on the other side, have made, agreed and contracted in the name of his most Christian Majesty of *France*, as well for him as for his Successors to the foresaid Kingdom; and the foresaid *United Provinces* of the *Low-Countries*, besides, and over and above the Articles of the foresaid Treaty, the Capitulations, Conventions, Conditions and Articles which follow.

I. It has been agreed, &c. That the Kings of *Scotland* and *Denmark*, the Electors and other Princes of the Holy Empire, together with all other Kings, Princes, Lords, States and Republicks, who may be interested and concern'd in the Invasions, Attempts and ambitious Designs of the King of *Spain*, shall, as soon as possible, be invited to enter into the foresaid Treaty, and that they may enter into it; and that for this end the foresaid Lords the States may send their Deputies and Ambassadors to the said Kings and Princes, in such manner, and at what time the foresaid King of *France* shall think fit.

II. That as soon as this can be conveniently done, and that within the next year 1597. there shall be a General Congress assembled and held by the Deputies of the different Confederates, and other Kings, Princes, Lords and States, who shall join in the foresaid League, at such a Day, Time and Place as the said King of *France*, and the said Lady the Queen of *England* shall think convenient; there to deliberate and resolve upon the means to be made use of in order to attack the said King of *Spain*, and make an Invasion into his Kingdoms and Lands, at the common Cost, Charge, Forces and Endeavours of the said Confederates, to advise together about the Execution and Fulfilment of the said League and Confederacy, with all that depends thereupon.

III. It has likewise been concluded and promis'd on both sides, That in *March* next the Army of the most Christian King shall be upon the Frontiers of *Picardy* in *Artois*, and that also the Army of the Lords the States, which shall consist and be form'd of about seven or eight thousand Infantry, and fifteen hundred Cavalry, with proper Equipages and Artillery, shall be at the Place and Times agreed upon between the foresaid Duke of *Bouillon*,

Bovillon and Prince *Maurice* : and that afterwards Advice and Resolution shall be taken and deliberated on both sides, upon what shall be respectively undertaken with the said Armies, in order to attack the common Enemy ; and this in case the said Enemy undertake any Enterprize in the mean time by Sea or Land, which may give place and occasion to send the said Armies to other Parts than have been agreed on, and of which Advice shall be given on both sides, at the time of the occasion of the Change that shall happen.

IV. And considering the great and continual Expences the said most Christian King has been at, and born in resisting the greatest Violence of the War, which the common Enemy has made, and continues to make against the foresaid King and his Kingdom ; and besides this, the Augmentation of the said Charges and Expences which he has been oblig'd to be at, and bear since the last Declaration of War, which his Majesty has made against the foresaid King of *Spain*, as well for the Continuation of the said War, as in order to make it unanimously in the Provinces of the *Low Countries*, which are at present possess'd by the foresaid King of *Spain* ; and likewise because of the Reinforcement of his Army for the next year 1597. and the maintaining of 4000 Foot, viz. 2000 more *Gascons*, besides and with the two Regiments commanded by the *Sieurs de la Noue* and *Rigna*, which are at present in the Pay of the foresaid Lords the States ; the foresaid Lords the States of the *United Provinces* have promis'd to remit the Sum of 450000 Livres for the foresaid year 1597. which Sum shall be paid and furnish'd every month of the said year by the Commissaries of the foresaid Lords the States, following herein what his said Majesty shall be pleas'd to ordain, that so, during the said year, the Troops may be maintain'd and paid ; and the said Troops shall be oblig'd to obey the Lieutenant, Marechal de Camp, and other General Officers, ordain'd by the foresaid King to command them.

V. The foresaid *Sieur Duke de Bovillon* hath and doth promise by these Presents, in the name of the said King of *France*, that in case during the said year 1597. the common Enemy shall employ the greatest and most considerable part of the Forces he shall have gather'd

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together in the *Low Countries* against the *United Provinces*, there to make his Invasions, and possess himself of them, either in whole or in part, or in order to besiege some Towns or Places in their Obedience; in this case his Majesty shall send back to the said Lords the States the 4000 Foot in their Pay, without making any difficulty at their demanding them.

VI. He has in like manner promis'd, and does promise by these Presents, in the said name, That his said Majesty, during the whole foresaid time, shall make War, and continue it with all Vigour and Diligence against the said Provinces of *Artois*, *Hainault*, and other Provinces of the *Low Countries*, held and possess'd by the said King of *Spain*, by all sorts of Invasion, Incursions, Ravages, and other Acts of Hostility; and that, besides this, in the foresaid Case, the said King being thereto pray'd and requested by the said Lords the States, and provided his Affairs will permit, shall succour and assist them with 1000 Horse and 4000 Foot, under the Command of Persons of Quality, to employ the said Troops, together with the Forces of the foresaid Lords the States, against the *Spaniard*, upon the Countries, Lands and Domains of the foresaid *United Provinces*, under the Command of the General and Marechal de Camp of their Army; and that they shall also be pay'd by the said Lord the King, during two, three, or four Months, that they shall serve the said States.

VII. In order to maintain, preserve, enlarge and increase the Friendship between the said King of *France*, and the Lords the States General of the *United Provinces* of the *Low Countries*, and to secure Commerce and Traffick between the Merchants of the foresaid Kingdom of *France*, and those of the *United Provinces* of the *Low Countries*: It is agreed, That the antient Contracts, Treaties and Privileges made and granted as well in general as in particular, and from which nothing has been derogated by subsequent Contracts, Treaties and Ordinances, shall be respectively maintain'd and preserv'd.

VIII. The most Christian King of *France* and his Successors shall continue to the said *United Provinces*, Towns and Inhabitants of the same, as well in general as in particular, their Grace, Favour, Assistance and Recommendation,

commendation, against all Violence and Wrong that may be attempted or done against them; that so the foresaid Provinces and the Inhabitants thereof may go, negotiate and traffick, in all Kingdoms and Countries, with the same Liberties, Immunities and Privileges, as the Subjects of his Majesty.

IX. And as the late Prince of *Orange* of happy Memory, was the first who laid the Foundation of Resistance to the Ambition of *Spain*, for the defence of the Liberties, Rights and Privileges of the *Low Countries*, and defended the Commonwealth with all his Power, and even to Death, with a great deal of Pains, Labours and Difficulties, and the Loss of Blood and Estate, by which means the common Enemy took from him and possess'd several Countries and Lordships which belong'd to him, by which his Widow and Children are very much hurt; and as upon this Consideration the States of *Brabant* and *Flanders*, in some measure to comfort the said Prince, made some Agreement and Conditions with him: therefore his said Majesty and his Successors shall be, and remain to be always well-affected towards the House of the said Prince, his Widow and Children, and shall assist and aid them to recover their Estate, and to repair their Losses, and maintain their Actions, and the Rights that belong to them.

X. The Subjects of his most Christian Majesty may freely and securely buy, sell, exchange and transport all sorts of Commodities and Merchandizes, within and without the said *United Provinces*, Towns and Lands thereof; as likewise the Subjects of the foresaid *United Provinces* may freely and securely buy, sell, vend and transport without and within the Provinces of *France*, the Towns, Lands and Places thereof, all sorts of Ware and Merchandize, without either's being oblig'd to pay for the foresaid Merchandizes and Commodities any other Duties, Imposts or Customs, than the natural Subjects of the Provinces, Towns and Lands where this Commerce and Traffick is made.

XI. Nor shall the Right of Escheatage or Confiscation be put in execution in any Town or Country of *France*, against the Inhabitants of the foresaid *United Provinces*, but shall cease, and have no place; and in like manner the same Right of Confiscation shall not take place in

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the *United Provinces* against the Subjects of the King of *France*.

XII. In order to clear the Sea from all Pirates, and all Injuries from those who shall come to Sea with the Commission of the King of *Spain*, or in his name; his Majesty's Ships of War, as well as those of the *United Provinces*, shall have liberty to pursue the Ships of the said King of *Spain*; on condition that the Prize shall be theirs who shall first take and board the said Ships.

XIII. And that the said *United Provinces* may be able every where to continue and secure their Navigation, Commerce and Traffick, and defend themselves from all Capers, they shall be permitted and at liberty to trade and traffick in all Places, Provinces and Countries, and principally in the *Western* Countries and Towns thereof, as they shall find proper.

XIV. All Letters of Reprizal, Mark and Arrest, and other such like, which have formerly been given, shall not take place on either side, but shall be, and remain to be null and void, and shall not be granted to any Person when the time is expir'd, but Right shall be done to every one according to Justice. And let it be well notic'd, that the particular Inhabitants of the foresaid *United Provinces*, may not be disturb'd or molested either in their Persons or Goods, on account of Debts contracted by the said Provinces to carry on the War.

XV. *French* Ships in their Voyage to fetch Corn, or any other sort of Commodity or Merchandize, in the Country of *East-Friseland*, or any other Countries of the *North*, may steer their Course either in going or returning, without being oblig'd to touch or stop in the Countries of the foresaid Lords the States, or without being constrain'd to unload, sell or exchange their Merchandizes there: and if the said Ships should be forc'd by a Storm into the Harbours of the foresaid Provinces, they may not even then be stopt, or oblig'd to unload their Merchandizes, or to sell or exchange them; and the like shall be observ'd as to the Ships of the foresaid *United Provinces*, passing and repassing from East to West along the Coasts of the Kingdom of *France*.

Which Conventions, Agreements and Articles above-mention'd have been negotiated, agreed, pass'd and stipulated

pulated between us the foresaid Persons, in the foresaid Names, at the *Hague* in *Holland*, the 31st and last day of *October*, 1596. Of which Treaty we the Duke *de Bovillon*, Ambassador from the most Christian King of *France*, have promis'd to obtain in the space of six months next following, or sooner if possible, Letters of Ratification in good and sufficient form from the said Lord the King, to the said States General of the *United Provinces* of the *Low Countries*.

In Testimony of all which Conditions and Articles, we the foresaid Duke *de Bovillon*, and *Buzenval*, have sign'd the present Treaty with our own Hands, and affix'd our Seal thereto. And we the foresaid States General of the *United Provinces* have caus'd the Great Seal of the said States to be affix'd thereto, and our Recorder to sign it. Done at the *Hague* in *Holland*, the year of our Lord 1596. the 31st and last day of *October*, and was sign'd,

Henry de la Tour, *Paul de Choart,* *Buzenval.*

And a little lower was written, By Order of the foresaid States General, and sign'd,

C. Aerssen.

And seal'd with the Great Seal of the foresaid States, in red Wax, hanging by a double Tail.

A Treaty and Renewal of Alliance between Elizabeth - Queen of England, and the States General of the United Provinces, in which is particularly renew'd the Treaty of the Year 1585. Given at Westminster, the 16th of August, 1598.

THE States General of the *United Provinces of the Low Countries*, to all who shall see or hear these Presents. Whereas we have sent into *England*, upon a Proposition made in our Assembly on the part of her most serene Majesty the Queen of *England and Ireland*, on the 29th of *June* last, by these Gentlemen, Sir *Francis Vere* Knight, and *George Gilpin* Counsellor, introduc'd on the part of her Majesty into the Council of State of the *United Provinces of the Low Countries*, by virtue of Credential Letters from her Majesty, dated the 7th of the foresaid month, our Deputies, viz. *John van Duvenvoorde*, Lord of *Warmond, Wende*, &c. Admiral of *Holland*; *John van Oldenbarnevelt*, Lord of *Tempel*, Advocate Fiscal, and Keeper of the Great Seal of *Holland and West-Friseland*; *John van Werk*, Counsellor, Pensionary of the City of *Middleburg*; *John van Hottinga*, Gentleman; *Andrew Hessels*, first Counsellor of the Council of *Brabant*, and the said Lords the Deputies on our part, conjointly with *Myn Heer Noel van Caron*, Lord of *Schoenwal*, our Agent with her Majesty, to treat with her said Majesty upon the foresaid Points, compris'd in the foresaid Propositions of the foresaid Gentlemen, Sir *Francis Vere* Knight, and *George Gilpin*, and some other Difficulties that have happen'd since the Treaty made between her said Majesty and us, in the year of our Lord 1585. which her said Majesty hath often desir'd might be accommodated and done away on both sides, on occasion of which she has treated

ted with us by Letters, and by her Ministers. And our said Lords the Deputies having had upon the whole divers Conferences and Communications with the Lords of the Council thereto deputed by her Majesty, in order to preserve the Affection, Amity and Favour of her Majesty towards this State; and desiring for this Effect to give her Majesty all possible Satisfaction, they have met and agreed with the said Lords of Council upon the said Points and Difficulties, by the approbation as well of her Majesty, as of us respectively, for the Ratification thereof, to be presented by us in one month after the date of the present Treaty, and that of her Majesty in ten days after the presenting thereof to her, according to the foresaid Treaty. Done, sign'd and seal'd by the foresaid Lords of her Majesty's Council, and by us the foresaid Deputies the 10th (which should be call'd the 16th) of *August*, the Tenour whereof follows word for word.

Even so be it, that in the year of our Lord 1585. at the Instance, Sollicitation and Request of the Lords the States General of the *United Provinces* of the *Low Countries*, her Majesty was willing to give them Succour, Aid and Assistance against their Enemies; upon which a Negotiation was set on foot at *Nonsuch* the 10th of *August* of the said Year, concerning the Manner, Quantity and Quality of what her Majesty then consented and agreed to give them; and after this Agreement some Difficulties having happen'd, her said Majesty earnestly desir'd that the said Difficulties might be terminated and done away on both sides: and these matters having been negotiated with the said Lords the States, as well by Letters, as by Ministers from her said Majesty, nevertheless no Answer that could satisfy her said Majesty on this head could be obtain'd from the said Lords the States, either by Letters or Deputies from her said Majesty; and the said Lords the States having sent their Deputies into *England*, to negotiate with her Majesty, as well with regard to the foresaid Points, as upon those that were propos'd to them by Sir *Francis Vere* Knight, and Counsellor *Gilpin*, viz. the most excellent and worthy Personages, *John van Duvenvoorde*, Lord of *Warmond*, *Woude*, &c. Admiral of *Holland*; *John van Oldenbarnevelt*, Lord of *Tempel*, Advocate Fiscal, and Keeper of
the

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the Great Seal of *Holland and West-Friseland*; *John van Werk*, Counsellor, Pensionary of the Town of *Middleburg*; *John van Hottinga*, Gentleman; *Andrew van Hessel*, first Counsellor of the Court of *Brabant*; *Noel van Caron*, Lord of *Schoenwalle*, Agent on the part of the foresaid Lords the States General with her Majesty: who, after having confer'd several times with the foresaid Lords of her Majesty's Council thereto deputed, to maintain and preserve the Favour of her said Majesty, and continue in her Amity and good Grace, propos'd several Means, Conditions and Representations on their part; and having been requir'd, with regard to several other Points, by the said Lords of her Majesty's Council, they declar'd and gave to understand, that they had not full Power and Authority to agree them. Nevertheless being desirous to give her Majesty the greatest Satisfaction possible on their part, the foresaid Deputies were contented to consent and agree with the Lords of her Majesty's Council in the following manner, reserving and submitting themselves entirely to the Consent, as well of her Majesty, as of the foresaid Lords the States reciprocally, to have the final Agreement thereof made by the said Lords the States General, within one month after the date of these Presents, and by her Majesty in ten days after its being represented to her.

I. That the foresaid Treaty above-mention'd, of the year 1585. shall always remain in the same State, Being, Vigour and Force, except in what concerns and regards the State, Government and Polity of the foresaid Provinces, as well with relation to the Authority of her Majesty's Governor and Lieutenant-General, as to the Points of the foresaid Treaty, that shall be made void, and chang'd by the present Treaty. But let it be well understood, that her Majesty, notwithstanding this, may continue in the Council of State a Counsellor qualify'd according to the Contents of the foresaid Treaty.

II. The foresaid Lords the States, confiding in the good Affection and Favour of her Majesty, for the Preservation of the State of the foresaid *United Provinces*, shall be contented with such Aids as her Majesty shall please to give them, and to continue the War, with the Assistance of God, the best they can.

III. The

III. The foresaid States General of the Provinces of the *Low-Countries* shall acknowledg in good and legal Form, and by obligatory Words, within a month from the Date of the present Treaty, That they owe her Majesty the Sum of 800000 Pounds Sterling, to be paid as follows, *viz.* That during the time her Majesty shall remain engag'd in the foresaid War against the common Enemy, the foresaid States shall pay annually to her said Majesty, or to her Ministers in the City of *London*, 30000 Pounds Sterling, beginning the said Payment three Months after the Date and Conclusion of these Presents; on which Day shall be paid by them 15000 Pounds Sterling, and three Months next following other 15000 Pounds of the same Mony; and then equally from year to year in good Payment, at the end of each year the like Sum of 30000 Pounds Sterling, to the Satisfaction and intire Payment of 400000 Pound Sterling.

IV. As to the other 400000 Pounds Sterling, which are yet to be acknowledg'd, nothing in the present Agreement shall extend to the Prejudice of her Majesty's Right, with regard to the time of Payment limited in the first Agreement. But on the contrary, the foresaid Right and Demand shall remain in the same State they were in before; and if her Majesty either before or after the first Satisfaction made to her of 400000 Pounds Sterling, mention'd in the preceding Article, shall think good in her Council to hearken to any Treaty of Peace with the King of *Spain*, his Heirs and Successors present or to come, or having Cause or Pretensions upon the Kingdoms of *Spain*, or upon the *United Provinces*, her said Majesty shall advertise the foresaid States General thereof in proper time, that so they may send their Deputies into *England*, to negotiate and agree with her Majesty touching the Payment and Security of the foresaid second Sum of 400000 Pounds Sterling, according to the Disposition, State and Condition of both sides, and concerning the Restitution of the cautionary Towns and Forts, in which her Majesty will treat them civilly, graciously and bountifully.

V. If it should happen that a Peace should be concluded and ratify'd between her Majesty and her Enemies,

mies, and that in the mean time the first 400000 Pounds Sterling (besides the 30000 Pounds which are agreed to be paid annually) should not be paid, or that her Majesty should not be entirely paid; the Arrearages due shall be continu'd to be paid annually by the Sum of 20000 Pounds, on the same Days and Terms that the foresaid Sums should be paid upon, till the entire Payment of the foresaid first 400000 Pounds.

VI. The 1150 Soldiers order'd by the Contract between her Majesty and the foresaid Lords the States in the Year 1585. as a cautionary Aid for guarding the Town of *Flushing*, and the Castle of *Rammekins*, the *Brille* and its Forts, shall be kept in Service, under the Oath which, in conformity to the foresaid Contract, they have taken to her Majesty and to the Lords the States; and the said Lords the States shall pay to each Company consisting of 150 Men, during the time her said Majesty shall remain engag'd in the present War, in the Hands of her Majesty's Commissaries and Treasurers, the Sum of 1700 Livers according to the Reckoning of the said *United Provinces*, or 170 Pounds Sterling every Month: the which Sum given, every three Months 5100 Livers, or 510 Pounds Sterling to be paid to each Company from three Months to three Months, besides the ordinary Service, or Money in lieu thereof (the said Service notwithstanding to be paid in the foresaid cautionary Towns) and the said Pay at the Charge of the foresaid Lords the States, shall begin the 20th Day after the Conclusion of the present Treaty. And if her said Majesty will keep more Soldiers in the foresaid cautionary Towns and Forts, it shall be at her said Majesty's Cost and Charge; however the said Soldiers shall take their Oath according to the foresaid Treaty.

VII. After the twenty Days from the present Treaty, her Majesty may give liberty to the Soldiers, as well Infantry as Cavalry, which she has in the Service of the foresaid *United Provinces* (*viz.* those who are not in the Number of the foresaid 1150 Soldiers who shall be in the cautionary Towns, nor those whom her Majesty shall please to add to them at her Charge and Expence for the Garison of the foresaid Towns and Forts) and it shall be permitted to those Soldiers who are willing to

to enter into the Service of the said States, if they agree thereto, under an *English* Captain whom they shall appoint, under the Pay, Oath and Discipline of the said *United Provinces*; and likewise her Majesty shall consent to allow, at the Request of the said Lords the States, and according as their Affairs shall demand, Soldiers of her Subjects to be rais'd to serve them in War, both by Land and Sea, according to the Occasions and Accidents thereof, as they employ their other Soldiers, and make use of them in their Service. And from this present her Majesty shall be entirely discharg'd of the Expence and Charge, and of the number of five Thousand Foot, and a Thousand Horse, which her Majesty, by the Contract of the Year 1585. was oblig'd to maintain for the Assistance of the said *United Provinces*.

VIII. If it should fall out, That the common Enemy or his Adherents should send a Naval Army to attack, during the said War, the Kingdom of *England*, or the Isles thereto belonging, viz. *Wight*, *Solingué* and *Guernsey*, and her Majesty should equip a Fleet to fight them; the said Lords the States shall for the Service, and at the Request of her Majesty, equip thirty, or if it is possible, forty Ships of War well man'd and provided, the half of which shall be of a Hundred, and the other of a Hundred to two Hundred Tuns, to be employ'd under the Command of a Captain-General or Admiral of her Majesty, conformable to the Conditions of the foresaid Treaty of the Year 1585. and in all its Points, even in what concerns the Conquests to be made on the Enemy.

IX. And in like manner if the common Enemy should come to attack, and make an Irruption into the Kingdom of *England*, or the Isle of *Wight*; the said Lords the States shall be oblig'd, at the Request of her Majesty, to furnish and equip five Thousand Foot, and five Hundred Horse, to be employ'd under the Command of her Majesty's Captain-General, and also according to the good Pleasure and good Will of her said Majesty; the Wages and Pay of such a number, to be upon the foot of the Wages concluded in the Treaty of the Year 1585. the said Payment beginning from the day that the Enemy shall make the Irruption, and continuing till they are entirely defeated and put to flight.

X. If her Majesty think fit, according to the Situation of Affairs, to undertake any thing offensively against the common Enemy, during the foresaid War, with a Naval Army consisting of at least fifty or sixty Ships of War, making such an Irruption by Sea as she shall think proper upon the Country of *Spain*, *Portugal* or other Isles, or in the *Indies*; the said Lords the States shall be oblig'd to join, at their own Expence, to her Majesty's Fleet a like number of Ships of War, and of the same Bigness, as it is contain'd in the preceding Article. If it should happen likewise, that her Majesty should take a Resolution in the foresaid Time, to make an Irruption into *Flanders* or *Brabant* with a good Army, at least ten Thousand Foot, and two Thousand Horse strong, with good Provisions, Artillery and Ammunition, to make War upon the foresaid Enemy; the said Lords the States shall be bound and oblig'd presently to furnish the half of that number of Troops with proper Arms and Ammunition, enjoying the Conquest in the proportion, as above.

XI. In consideration of which Conditions and Agreement, her Majesty on her part being willing to gratify the foresaid Lords the States General of the *United Provinces* of the *Low-Countries*, viz. *Guelder*, *Holland*, and *Westfriseland*, *Zeeland*, *Utrecht*, *Overyssel*, *Groningen* and *Omelanden*, and the other Countries and Towns which are at present subject to the said *United Provinces*, shall be content to quit to them by a special Bounty, and to hold and declare null and void, all and every one the Arrearages, Actions, Obligations, Pretensions and Promises whatsoever, which might be charg'd to the foresaid *United Provinces*, as well in general as in particular, or to the Quarters, Rights, Jurisdictions, Towns and Members thereof, for any Debts or Sums of Money assign'd by any Obligations, Contracts, Agreements or Stipulations whatsoever, from the Date of the Contract often mention'd in these Presents, made in the Year 1585. excepting only the 800000 Pounds accepted by the present Treaty to be paid in the manner, as above.

XII. And as to what regards all other Debts and Sums of Money which her Majesty may pretend to against the said *United Provinces* above-mention'd, on account of Obligations,

Obligations, Contracts or Agreements made and pass'd, in the said *United Provinces* in general or in particular, or in any Parts of them, or formerly negotiated in whole or in part with any other Provinces of the *Low-Countries*, at present not in the Union; her Majesty obliges herself in this present Treaty, that she will pretend to nothing against them for the future, neither in general nor in particular; but rather that such Debts and Sums of Mony shall be sunk and remitted, as to what concerns the Provinces, Towns and Members thereof here mention'd; excepting the Debt concerning *Horatio Plancino* a *Genoese* Knight, which shall remain in the same State it was in before this present Conclusion: so that in this Treaty there shall be given no Attaint either in general or particular to the Right of Signior *Horatio Plancino*, nor of the States General; Her Majesty nevertheless reserving to herself, and meaning, that she remains to have a clear Pretension to all the Rights, Titles, &c. which she can reckon upon all the other Provinces and Towns of the *Low-Countries* which are at present of the foresaid Union, in virtue of any Obligation or Contract whatsoever made with her Majesty apart, or together with the foresaid other Provinces comprehended in the present Union.

XIII. And in like manner the said Lords the States shall give up, and quit on their side, as they give up, and quit by these Presents to her Majesty, her Heirs and Successors, by way of general Transaction, all the Debts, Sums of Mony, Actions, Obligations, Pretensions, Demands and Promises, which they have, or can reckon upon any Reason, Subject, Colour or Pretence whatsoever, being begun after the Date of these Presents.

Made, agreed, concluded, and sign'd by the Lords of her Majesty's Council on the one side, and the above-mention'd Deputies of the Lords the States General of the *United Provinces* on the other side, at *Westminster*, the 16th Day of *August*, the Year of our Lord 1598. And was sign'd, *Thomas Ogerton*, *Essex*, *Nottingham*, *G. Hausdon*, *R. North*, *R. Buckhurst*, *W. Knollys*, *R. Cecyl*, *J. Syrtetewe*, *J. van Duvenvoorde*, *Jo. van Oldenbarnevelt*, *J. van Werk*, *J. van Hottenga*, *And. van Hessel*, *Noel van Caron*.

A Treaty of Confederacy between Henry the IV. King of France, and James the I. King of England, chiefly for the Defence of the United Provinces of the Low-Countries, against the King of Spain. At Hampton-Court the 30th of July 1603.

I. **I**T is agreed, That the antient and never interrupted Alliances between *France* and *Scotland*, shall not only be renew'd, confirm'd and observ'd, as also such as have been contracted between his Majesty, and his Predecessors, and the most serene *Elizabeth* late Queen of *England*; but that they shall likewise be strengthen'd, and made more strict by all other sorts of advantageous and honourable Conventions; namely by a League which shall in like manner be concluded between their Majesties, for the common Defence of their Persons, Kingdoms and Subjects: in which Defensive League shall be comprehended all their Allies on both sides, who shall be nam'd in common by their Majesties in a certain time.

II. Among which Allies the *United Provinces* of the *Low-Countries* being the Principal and most considerable; their said Majesties shall mutually procure on the part of the King of *Spain* and the Archdukes of *Flanders*, That they shall leave them in quiet, and deliver them from all Invasion and Hostility, or at least own them for their Subjects, or the Subjects of the Empire, with such and so reasonable Conditions, that they may never apprehend being made entirely subject to the said King of *Spain*, and the Archdukes of *Flanders*, nor the two Kings have a just Jealousy, which they must always have as often as, without their Intervention and Consent, the said *Provinces* shall become absolutely subject to *Spain*.

†

III.

III. And because, during the Negotiation of this Affair, which perhaps may be endeavour'd to be drawn into Length, the *Spaniards* may strive to gain time, and make a powerful Effort against the said *Provinces*, and reduce them by the Severity and Force of Arms: Their Majesties being desirous to preserve the Dignity and Grandeur which their Predecessors have left them, and the Reputation which they have acquir'd themselves, (which would be infinitely diminish'd if they should suffer those to perish under the Shadow of their Assistance, whose Preservation they pretend to desire and procure in every respect) shall mutually agree, in case the said Lords the States will follow their Advice and Counsel, to assist and succour them forthwith with a good Sum of Mony, and a sufficient Number of Troops, which shall be all rais'd in the Countries, Lands and Dominions of the said King of *England*, and the Charges of the said Levy, Pay and Maintenance entirely furnish'd by his Majesty; who shall for that effect put into the hands of the said Lords the States of the *United Provinces* the Sums thereto necessary, two thirds of which shall be entirely and simply furnish'd by his Majesty, and the other Third in like manner by him, but in Deduction and Payment of what may be owing to the said King of *England*.

IV. Which things shall be done in the most private and secret manner possible, that so the Peace of *France*, or that which the King of *England* may enter into with *Spain*, may not be prejudic'd directly or openly.

V. But because such Assistances may give offence to the *Spaniards*, and induce them sooner or later to begin War against *France* and *England*; their two Majesties in that Case have agreed to the following Particulars.

VI. *Viz.* If the King of *England* alone is openly attack'd by the King of *Spain* in any Places of his Kingdoms and States, he shall be aided and assisted by the King with a gallant and strong Army, paid for such time as shall be necessary; which Army shall not be less than ten Thousand Men.

VII. Moreover, His Majesty shall pay within three Years, by equal Portions, to the said King of *England*, whatever Debts he shall then owe him.

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VIII. In like manner, if the King is openly attack'd alone in any Part of his Kingdom by the King of *Spain* or his Adherents, His Majesty of *England* shall be oblig'd to aid and assist him with a powerful Army either by Land or Sea, according to the Choice and Opinion of the King, which shall not be less than six Thousand Men; during which time the said King of *England* must not demand any Part or Portion of his Debts from his said Majesty.

IX. Moreover, it hath been agreed, That in case the two Kings should be both attack'd by *Spain*, or should be constrain'd by Reasons of State, and for the Security, Quiet and Advantage of their Persons, Kingdoms and Subjects, to make War in common, each of them shall do it on his part, not by halves, but suitably to the Dignity and Grandeur of such Princes, and with sufficient Endeavours and Means; from which may be hop'd the entire Deliverance of all the seventeen Provinces of the *Low-Countries*.

X. Namely, on the part of the King, with an Army of fifteen or twenty Thousand Men, whom he shall throw into the said Countries, and shall strengthen the Provinces of *Guienne, Languedoc, Provence, Dauphiny, Bresse* and *Burgundy* with a sufficient Number of Soldiers, together with a sufficient Number of Gallies and warlike Equipages in the *Levant*, in order not only to secure the Coasts, but also to give just Jealousy to the King of *Spain*, and consequently to employ and divert part of his Forces.

XI. And on the part of the King of *England* the War shall be made and carry'd on with two great Fleets sufficient for doing good Exploits towards the *Indies*, and on the Coasts of *Spain*; and a Land Army which shall not be less than six Thousand Men, all levy'd and paid at his proper Charge and Expence: during the time of which common War the said King of *England* shall not press his Majesty to pay the Debts which shall be owing him at that time. Nor shall any of the two Kings make Peace, lessen the abovemention'd Forces, nor desist from Acts of Hostility, but by the mutual Consent of both, a publick and authentick Instrument of which shall pass; and then a like Instrument shall pass of the Renewal of the Alliance which regards the

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the Defensive League, and the Offensive League of secret and reciprocal Promises. Sign'd *James*; and seal'd with the ordinary Seal of *England*, and countersign'd *Cecil*. Made at *Hampton-Court*, the 30th of *July* 1603.

A Treaty of perpetual Peace and Alliance between Philip the III. King of Spain, and the Archduke and Archduchess Albert and Isabella on the one side, and James the I. King of England on the other side. Made in the Year 1604.

K NOW all and every one, That after a long and most cruel Ravage of Wars, by which *Christendom* has for many Years been miserably afflicted, God (who has the Disposal of all Things) looking down from on high, and pitying the Calamities of his People (for whom he was pleas'd to shed his own Blood, that he might bring them Peace, and leave it with them) has powerfully extinguish'd the raging Flame by a firm Confederacy of the most potent Princes of the Christian World, and graciously made the Day of Peace and Tranquillity shine, which was hitherto rather wish'd for than hop'd. For by the Grace of the Omnipotent God, the Kingdoms of *England* and *Ireland* devolving, for extirpating the Seeds of Discord, upon the most serene Prince, *James* King of *Scotland*, and consequently those Causes of Dissension remov'd, which so long fomented and nourish'd War between the Predecessors of the most serene Princes *Philip* the III. King of *Spain*, and *Albert* and *Isabella Clara Eugenia* Archduke and Archduchess of *Austria*, Duke and Dutches of *Burgundy*, &c. and of the said King *James*: All the said Princes (God illuminating their Hearts) consider'd that there was no reason why they should have an Enmity at one another, who had never had any before, or why they

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should engage in War against one another, from which their Ancestors had always abstain'd, or why they should break off the most antient Confederacy which had been kept beyond the Memory of Man, and burst the Bands of the strictest Amity between the most serene Families of *Austria* and *Burgundy*, and the foresaid most serene King of *England*, and break the old Friendship which was daily cultivated with new and additional Offices of Love and Benevolence. Wherefore hearing of the Succession of the said most serene King of *Scotland* to the Kingdoms of *England* and *Ireland*, and *John Taxis* Count of *Villa Mediana* being sent on the part of the most serene King of *Spain*, and on the part of the said most serene Archduke and Archduchess, *Charles* Count of *AreMBERG*, to congratulate the said most serene King of *England* upon his succeeding to the said Kingdoms, in the Name of the foresaid most serene Princes respectively; and that Embassy being most kindly taken, and the Ambassadors most amicably receiv'd; the said most serene King of *Spain*, and the Archduke and Archduchess were inform'd by their Ambassadors, That the most serene King of *England* was strongly inclin'd, not only to observe antient and former Treaties, but also to enter into more strict and firm ones. Wherefore they thought nothing was to be omitted by them, by which the common Tranquillity of *Christendom* might be promoted, and the Interests of the People committed to them regarded. And that so pious a Work might be diligently and speedily accomplish'd, they have appointed their general and special Commissarys and Procurators, with most ample Powers, to enter into and establish Covenants with the most serene King of *England*, to renew Commerce so long neglected and left off, and to confirm Peace and Friendship to last for ever between the said Princes.

Wherefore we *John Velasco* Constable of *Castile* and *Leon*, Duke of the City of *Frienza*, Earl of *Haro*, Lord of the Villages of *Villapand*; and *Pedratia della Sierra*, Lord of *Velasco* and *septem Infantium de Lara*, Great Chamberlain to the most serene *Philip III.* King of *Spain*, &c. and his Counsellor in Affairs that concern the State and War, appointed special Procurator and Commissary from his Royal Catholick Majesty, with
ample

ample Power to eſtabliſh and tranſact all the foreſaid and underwritten Matters, as appears by the Royal Commiſſion given at *Valladolid*, the 1ſt of *October*, 1603. ſubſcrib'd by the Catholick King's own Hand, and ſtrengthen'd with his own Seal, as it is regiſter'd word for word below: And with us *John Taxius* Count of *Villa Mediana*, one of the Gentlemen of the King's Bedchamber, Overſeer General of the Couriers in the Kingdoms and Dominions of the ſaid Catholick King, and nominated by his Royal Catholick Maſteſty to treat of Peace; *Alexander Rodivius* Profeſſor of Law in the College of *Milan*, and Senator of the ſaid Province of *Milan*, nominated by us in the Name of his Catholick Maſteſty, and ſubſtituted by us in like manner, while we were detain'd in *Holland* by Sickneſs in our way to *England*, by virtue of the Royal Commiſſion granted to us, in the mean time, to treat of the ſaid Peace by virtue of the ſaid Power and Authority which was given to us, together with the ſaid Count of *Villa Mediana*, as appears by the Commiſſion given at *St. Winock* the 15th of *May*, 1604. as it is regiſter'd word for word below; all Commiſſaries on the part of the ſaid moſt ſerene King of *Spain*. Prince *Charles* Count of *AreMBERG*, Knight of the Order of the Golden Fleece, one of the King's Council, Admiral General, &c. *John Richardot* Knight, Preſident of the Privy Council, and Counſellor of State, and *Louis Verreycken* Knight, firſt Secretary and Auditor, Ambaſſadors and Deputies of the moſt ſerene Princes the Archduke and Archdutcheſs of *Austria*, &c. as appears by a Commiſſion given at *Brussels* the 12th Day of *April* 1604. which is likewiſe regiſter'd below. *Thomas*, Earl of *Dorſet*, Baron of *Buckhurſt*, Lord High Treasuſer of *England*; *Charles*, Earl of *Nottingham*, Baron *Howard* of *Eſſingham*, Lord Chief Juſtice, and Ranger of all the Foreſts on this ſide *Trent*, Lord High Admiral of *England*, and Governor General of all the Fleets and Seas of the Kingdoms of *England*, *France* and *Ireland*, and the Iſlands and Dominions thereof; *Charles*, Earl of *Devonſhire*, Baron of *Montjoy*, the moſt ſerene King's Lieutenant in his Kingdom of *Ireland*, Governor of all the Armories and Arſenals, Governor of the Town and Caſtle of *Portsmouth*, Knights of the moſt Noble Order of the Garter; *Henry* Earl of *Nor-*

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thampton, Lord *Howard* of *Marnehill*, Keeper and Admiral of the Cinque-Ports ; and *Robert* Lord *Cecil*, Baron of *Effingden*, first Secretary to the said most serene King, Master of the Wards and Liveries, Privy Counsellors to the said most serene King of *England*, Deputies and Commissaries for the said most serene King of *England*, &c. as appears by his Majesty's Commission given at his Royal Palace at *Westminster*, the 9th of *May*, O. S. in the Year 1604. to be register'd below. Having first of all made a diligent Examination and Discussion of all Matters, and held several Conferences, and debated long, it was agreed, settled and concluded by us, for the Glory of Almighty God, the Benefit of the whole Christian World, and the Interest and Quiet of the Subjects of the said most serene Princes, as below.

I. It was and is concluded, settled and agreed, That from this day forward there be a good, sincere, true, firm and perfect Friendship and Confederacy, and perpetual Peace to be inviolably observ'd between the most serene King of *Spain*, and the most serene Archduke and Archdutchess of *Austria*, Duke and Dutchess of *Burgundy*, &c. and the most serene King of *England*, &c. and their Heirs and Successors, their Kingdoms, Countries, Dominions, Lands, People, Men, Allies and Subjects whatsoever, present and to come, of whatsoever Condition, Dignity and Degree they be, as well by Land as by Sea and fresh Water ; so that the said Vassals and Subjects shall shew mutual Kindnesses to one another, and do one another all reciprocal good Offices, and treat one another with Civility and Affection.

II. And all Hostility and Enmity shall cease for the future, by removing and burying in oblivion all manner of Offences, Injuries and Damages, which, during the Heat of War, either Party may have suffer'd ; so that from henceforth one side shall not pretend to any thing from the other on occasion of any Damages, Offences, Injuries, Captions or Spoils ; but there shall be an Abolition of all, and it shall be so esteem'd from this day forward, and all Actions shall cease, saving the Captions to be made from the 24th Day of *April* inclusive, 1603. because these must be accounted and answer'd for : And they shall abstain for the future from all Plunder, Caption, Offence and Spoil in any of the Kingdoms, Dominions,

nions, Places and Jurisdictions of either side, whether by Land, Sea or fresh Water; neither shall they consent that any such thing should be done by their Vassals, Inhabitants or Subjects, but shall cause all Plunder, Caption, Spoil or Damage arising from thence to be restor'd.

III. That none of the said Princes, or their Heirs or Successors whatsoever, shall either by themselves or by another, do, treat or attempt any thing against another, or any of his Kingdoms, Countries or Dominions whatsoever, in any Place whatsoever, either by Land, Sea or fresh Water, upon any account, or for any Cause whatsoever; nor consent or adhere to any War, Counsel, Attempt or Treaty in prejudice of any of the Parties,

IV. That neither of the Parties shall afford nor consent to their Vassals, Subjects or Inhabitants affording Assistance, Favour or Counsel, directly or indirectly, either by Land, Sea or fresh Water; nor furnish or consent to his said Vassals, Inhabitants or Subjects furnishing Soldiers, Provision, Money, Arms, Ammunition, or any other kind of Assistance, to foment War with the Enemies and Rebels of the other Party, of whatsoever sort they be, either invading the Kingdoms, Countries and Dominions of the other, or withdrawing themselves from the Obedience and Dominion of the other.

V. They shall moreover renounce, even as by the Tenor of these Presents the foresaid Princes, and every one of them has renounc'd, and does by these Presents renounce all Leagues, Confederacy, Capitulation, and Correspondence in prejudice of one or other of the Parties, that is or may be repugnant to the present Peace and Agreement, and to all and singular the Contents thereof, and shall annul, and make void all these and every one of them as to the said Effect, and declare them to be of no effect or moment.

VI. It is agreed and covenanted, That the said most serene Kings, and the Archduke and Archdutchess shall cause all their Subjects to abstain from all manner of Force and Injury, and shall revoke all Commissions and Letters as well of Reprisal as of Mark, and containing an Authority and Power of plundering and pyrating, of whatsoever kind or condition they be, given and granted either to their Subjects, Inhabitants or Foreigners,

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ners, in prejudice of either of the Princes or their Subjects, and shall declare them null and void, as by this Treaty of Peace they are declar'd null and void : and whosoever shall contravene shall be punish'd, and besides the Punishment inflicted on the injur'd Subjects, shall be comp'll'd to make up all Damages to such as require and demand it.

VII. As to what concerns the Towns of *Flushing*, the *Brille*, *Rammekins*, and other Forts and Places depending thereon now garison'd by the Soldiers of the said most serene King of *England* ; whereas the said most serene King owns himself to be strictly ty'd by Treaties concluded between Queen *Elizabeth* of happy Memory to whom he has succeeded, and the States of the *United Provinces* of *Holland*, &c. not to deliver up the said Towns to any other than those who pledg'd them, so that *salva fide* (which his Majesty has resolv'd to observe religiously towards all) he does not pretend, contrary to the said Transactions, to be at liberty to deliver up the said Places to the most serene Archduke and Archdutchess : He promises on the word of a King, to enter into a new Treaty with the said States, in which Treaty his Majesty shall assign them a competent Time, wherein they may receive just and equal Conditions of Pacification from the said most serene Princes, his dearest Brother and Sister ; otherwise, if they shall refuse to do this, the most serene King of *England*, thereby freed from former Conventions and Agreements, shall appoint and ordain what he shall judg honourable and just concerning these Towns ; and his said most dear Brother and Sister shall be given to understand, that he will not be wanting to perform the Offices of a Prince who is a Friend.

VIII. That the said most serene King of *England* shall command, even as he seriously promises to command, That his Garison-Soldiers shall not serve, supply with Necessaries, furnish Provision, Guns, Powder, Ball, Nitre, nor afford any other kind of Arms to the *Dutch*, or any other Enemies of the most serene King of *Spain*, or Archduke and Archdutchess of *Austria* ; nor give any other Assistance, nor commit any Hostility against the said most serene King of *Spain*, and the Archduke and Archdutchess : nor on the contrary shall any Hostility
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be done on the part of the ſaid moſt ſerene King of *Spain*, or of the Archduke and Archdutcheſs of *Austria*, againſt the ſaid Garifon-Soldiers, or againſt the moſt ſerene King of *England* or his Subjects.

IX. It was and is agreed and ſettled, That there be and ought to be a free Commerce between the ſaid moſt ſerene King of *Spain*, and the ſaid moſt ſerene King of *England*, and between all their Vaſſals, Inhabitants and Subjects whatſoever, as well by Land as by Sea and freſh Water, in all and ſingular the Kingdoms, Dominions and Iſlands, and other Lands, Cities, Towns, Villages, Ports and Diſtricts of the ſaid Kingdoms and Dominions, in which Commerce was held before the breaking out of the War, and according to the Uſage and Obſervance of antient Covenants and Treaties before the War; ſo that the Subjects and Vaſſals of either King may, without any Paſſport, general or ſpecial Licence, come and enter into the ſaid Kingdoms and Dominions, either by Sea, Land or freſh Water, and into the Cities, Towns, Villages, Ports, Shores, Creeks and Diſtricts thereof, and enter into any Ports in which Commerce was carry'd on before the War, and according and agreeably to the Uſage and Obſervance of antient Covenants and Treaties before the War, with Waggonſ, Horſes, Burdens and Ships or Boats as well laded as to be laded; and may import, buy and ſell Merchandizes in the ſaid Places, and purchaſe Proviſions, and all other things neceſſary for their Journey or Voyage at a juſt Price, and endeavour to reſtore their own Boats and Carriages, or thoſe they have hir'd or borrow'd, and depart from thence with the ſame Liberty, with all their Merchandizes, Goods and Things whatſoever, only paying the preſent Duties and Cuſtoms according to the Statutes of the Place, and go to their own and Foreign Countries in what manner they pleaſe, and without any Lett or Impediment.

X. It was and is agreed, and in like manner ſettled, That it ſhall be lawful to come to the Ports of the ſaid Princes, and remain there, and depart from thence with the ſame Liberty, not only with Merchant Ships, but alſo with all other Ships of War, fitted to reſtrain and reſiſt the Force and Attempts of the Enemy, whether they ſhall be forc'd in by the Violence of a Storm, or come in to reſit their Ships, or to buy Proviſions; provided,

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provided, that in case they come in without being forc'd, they exceed not the Number of six or eight Ships, nor remain in or hover about the Ports any longer than shall be necessary for repairing of them, or buying Necessaries, that they be not a Hindrance in any wise to the free Intercourse and Commerce of other ally'd Nations. But if there shall be a greater Number of Ships of War, then they must not enter the Ports without consulting the Prince, and provided they act not in a hostile manner in the said Ports in prejudice of the said Princes, but live and remain as Friends and Confederates; provided always, That under colour or pretext of Commerce, no Assistance or Provisions of Victuals, Arms, warlike Instruments, or any other kind of warlike Assistance be brought for the use and benefit of the Enemies of either of the said Kings, by any of the Subjects, Vassals or Inhabitants of the said Kings; but whosoever shall attempt that, shall be most severely punish'd, as seditious Infringers of Faith and Peace.

XI. That the Subjects of the one Prince shall not be worse treated in the Territories of the other, than the natural born Subjects, in selling and bargaining about their Merchandizes, as well with respect to the Price as otherwise: but in the foresaid Cases the Condition of Strangers shall be the same with that of the Inhabitants and natural born Subjects, any Statutes or Customs to the contrary notwithstanding.

XII. It was and is agreed and settled, That the said most serene King of *England* shall prohibit, and publicly caution, immediately after the Confirmation of the present Articles, that none of his Subjects, Inhabitants or Vassals shall carry or transport in any manner, directly or indirectly, in his own Name, or that of another, any Ship or Bottom, or lend his Name for the carrying or transporting any Ships, Merchandizes, Manufactures, or any other thing from *Holland* or *Zeeland* into *Spain*, or any other the Kingdoms and Dominions of the said most serene King of *Spain*, and of the most serene Archduke and Archduchess, nor carry any *Holland* or *Zeeland* Merchant in his Ships to these Parts, on pain of the Prince's Displeasure, and other Punishments declar'd by the Royal Mandates against the Condemners thereof. And to the effect, that Frauds happening

pening from the Similitude and Likeness of Merchandizes may be the better prevented, it is provided by this present Article, That the Merchandizes which shall be carry'd or transported from *England, Scotland and Ireland*, to the Kingdoms and Dominions of the most serene King of *Spain*, and the Archduke and Archdutchess, shall be sign'd by the Register, and seal'd by the Seal of the Town, Village or City from which they shall be brought; and thus register'd, sign'd and seal'd, they shall, without any manner of Difficulty, be look'd upon as *English, Scotch or Irish* Goods, and be respectively approv'd according to the signing and sealing, saving the Proof of Fraud; yet without delaying or stopping the Course of Trade and Commerce. But those Merchandizes which shall neither be register'd nor seal'd, shall be confiscated, and shall be, as they say, *de bona Præda*: and in like manner all *Hollanders and Zelanders* that shall be found in the said Ships may be seiz'd and arrested.

XIII. It is agreed, That *English, Scotch and Irish* Merchandizes may be sent and transported from *England, Scotland and Ireland* into *Spain*, and the other Kingdoms of the said most serene King of *Spain*, of which above, without paying the Custom of 30 per Cent. lately impos'd, only paying the accustom'd Duties and Tolls, before the imposing the said Custom of 30 per Cent.

XIV. It is likewise agreed, That the *English, Scotch and Irish* Merchants shall only pay the accustom'd Duties, before the Imposition of the said 30 per Cent. for all the Merchandizes which they shall buy in *Spain*, or the other Kingdoms of the said most serene King of *Spain*, and carry in their own Ships, and those hir'd and borrow'd for their use, excepting only, as is said above, the Ships of the *Hollanders and Zelanders*; provided they bring and carry the said Merchandizes to the Kingdoms of the said most serene King of *England*, or to the Ports of the Provinces under the Obedience of the said most serene Archduke and Archdutchess. And to the end no Frauds be committed, nor the said Merchandizes carry'd to other Places and Kingdoms, and namely into *Holland or Zeeland*, it is concluded, That the said Merchants shall oblige themselves at the time when they lade their Ships in *Spain*, or any other the Kingdoms and Dominions of the most serene King of *Spain* (of which above)

above) before the Magistrate of the Place in which they lade their Merchandizes, to pay the said Custom of 30 *per Cent.* when they carry the said Merchandizes to other Provinces, and to consign the Certificate obtain'd from the Magistrates of the Places of unloading the said Merchandizes either in the Kingdom of *England*, or in the Ports of the Provinces under the Obedience of the said most serene Archduke and Archdutchess, within the Term of twelve Months: upon exhibiting of which Certificate, the Obligation formerly given shall be re-deliver'd to such as shall bring the said Certificate.

XV. And that the said most serene King of *England* shall prohibit, immediately after the Confirmation of the present Treaty, That none shall export Merchandizes from *Spain*, or the other Kingdoms and Dominions of the said most serene King of *Spain*, in order to carry them elsewhere than to his own Kingdoms, and the said Ports of *Flanders*, on pain of Confiscation of all these Merchandizes in the hands of the Fiscal of the said most serene King of *England*; one half of which Merchandizes, or the value thereof, to be given to the Informer, and first of all deducting the Duty of 30 *per Cent.* which shall be paid to the Ministers deputed by the said most serene King of *Spain*, and giving in evidence that Proof was legally receiv'd in *Spain*, and to be transmitt'd hither into *England* in authentick Form.

XVI. That no Magistrate of the Towns or Cities of the said Kingdoms, who shall give Certificates of the unloading of Ships, and vouch the registring of Merchandizes, shall allow any Fraud in that matter on pain of the Prince's Displeasure, Loss of Office, or any heavier arbitrary Punishment.

XVII. Adding this Declaration, That when the said most serene King, and the Archduke, &c. shall agree with the most serene King of *France*, or with any other, upon the late Placart of 30 *per Cent.* and Commerce be restor'd betwixt them, then it shall be lawful for the Subjects of the most serene King of *England* to carry their Merchandizes to the Kingdoms and Dominions of him with whom Commerce is renew'd, without paying the 30 *per Cent.* but paying the common Tolls and Duties impos'd and usually paid before the Imposition of the said Custom.

XVIII.

XVIII. What is ſaid concerning the free Trade granted to the Subjects of the ſaid moſt ſerene Kings, ſhall likewiſe be underſtood to extend to the Subjects of the moſt ſerene the Archduke and Archdutcheſs, and of the moſt ſerene King of *England, Scotland and Ireland*, to wit, That they ſhall be oblig'd every where to treat one another friendly, to favour and do mutual good Offices to one another; and may freely, ſafely and ſecurely go to, enter, ſail into, import or export, buy and ſell Merchandizes in all the ſaid Kingdoms, Dominions, Lands, Villages, Towns, Cities, Shores, Ports and Coaſts whatſoever, by Land, Sea or freſh Water, without any Paſſport, or general or ſpecial Licence; and may continue, live and traffick in the ſaid Places as long as they have a mind, and purchaſe Proviſions and all things neceſſary for a Journy or Voyage at a due Price, and be oblig'd to return their own Ships or Waggon, or ſuch as they have hir'd or borrow'd; and may with the ſame Liberty (having pay'd the common Duties and Customs) go from thence with all their Merchandizes, Goods and Things whatſoever, freely exerciſe and do their buſineſs, and return from thence into their own Country or foreign Parts whenever they pleaſe, and without any Lett or Impediment; provided the Subjects of the moſt ſerene King of *England* do not make uſe of the Ships of the *Hollanders*, or of the Inhabitants of the other *United Provinces*, nor carry any of the Commodities of *Holland* or the *United Provinces*, whereſoever bought or receiv'd, or any thing for which Duties have been paid in *Holland* or the United Parts, into the Provinces of the moſt ſerene the Archduke and Archdutcheſs, nor bring any thing from thence to them, unleſs a Pacification be enter'd into; nor receive into their Ships any thing belonging to the *Hollanders* or the other United People, or put any thing that belongs to them into *Dutch* Ships, nor fraudulently lend their Names to the *Hollanders* or the other Inhabitants of the *United Provinces*: and whatſoever is found contraven'd in any of thoſe Reſpects, ſhall be accounted a juſt and lawful Forfeit and Prize.

XIX. What is aforeſaid is not only to be underſtood of Merchant Ships, but likewiſe of the Ships of War which the ſaid moſt ſerene Princes have or ſhall have,

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to oppose the Attempts of the Enemy, *viz.* it shall be equally lawful to make use of these Ships with the same liberty, and to the number specify'd above, whether driven in by the Violence of a Tempest, or for buying Provisions and other Necessaries, or for refitting the Ships themselves, by coming into, remaining in, or departing from the said Ports, provided they commit no Hostility in those Ports, but behave themselves honestly and peaceably, as becomes Friends and Confederates; and provided they do not hover about or remain in the said Ports longer than they are forc'd to do for mending their Ships, and providing themselves with Necessaries, nor give any manner of Impediment to the Free Trade, Intercourse and Commerce of other confederated Nations: but if there be a greater number of Ships of War, it shall not be lawful for them to come into the said Ports, without asking the Prince's Leave.

XX. And as the said Kings, and Archduke and Archdutchess solemnly promise never to give any warlike Assistance to the Enemies of either of them; so it is likewise provided, that their Subjects or Inhabitants, of whatever Nation or Quality they be, shall not, either on pretence of Trade or Commerce, or under any other colour, assist the Enemies of the said Princes, or of any one of them, in any manner, nor furnish them with Mony, Provisions, Arms, Engines, Guns, or Instruments fit for War, nor afford any other warlike Furniture; so that whosoever shall contravene, shall be liable to the severest Punishments, as Covenant-Breakers and seditious Persons.

XXI. And that the greater Benefits and Advantages may flow from this Peace and Agreement to the Subjects of the most Serene King of *England*, and the Archduke and Archdutchess, it is agreed and concluded, That the said most Serene King of *England*, and the Archduke and Archdutchess, shall conjunctly and separately take care, that their Subjects be not precluded from any of their Ports, Kingdoms and Dominions, but may freely, and without Let or Impediment, go to all the said Ports, Kingdoms and Dominions, with their Ships, Merchandizes and Waggons, paying the ordinary Duty and Carriage, and return with equal Liberty, whenever they please, with other Merchandizes.

XXII.

XXII. But as to what concerns the antient Intercourse and various Treaties of Commerce between the Dukes of *Burgundy* and Princes of *Holland*, and the Kingdoms of *England*, *Ireland* and *Scotland* also, which during these Troubles and Commotions have been intermitted, and perhaps broke in many respects; it is provisionally agreed, that they retain their former Force and Authority, and that they be of the same Effect on both sides that they were before the War broke out. And if any Excess shall be alledg'd on either side by either Party, or if the Subjects complain that Agreements and Compacts have not been observ'd, or that Burdens have been laid upon them heavier than ordinary, Deputies on both sides shall be appointed to meet, and, if need be, skilful and expert Merchants shall be join'd to them, who may amicably treat, and *bona fide* restore what the Injury of Time, or corrupt Practices have either destroy'd or alter'd.

XXIII. And because the Privileges and Rights of Commerce, which follow upon Peace, ought not to be render'd fruitless, as they really would be, if the Subjects of the most Serene King of *England* should be molested for Conscience-sake, while they go to and return from the Kingdoms and Dominions of the said most Serene King of *Spain*, and Archduke and Archdutchess, and continue there on the account of Trade or Business; therefore that Commerce may be safe and secure, as well by Land as by Sea, the said most Serene King of *Spain*, and Archduke and Archdutchess, shall take care and provide that they be not molested or disturb'd, contrary to the Rights and Privileges of Commerce, for Conscience-sake, unless they have given Scandal and Offence to others.

XXIV. That if any prohibited Goods or Merchandizes shall be exported or carry'd out of the Kingdoms and Dominions of the most Serene Kings, of the Archduke and Archdutchess, by the Subjects of one or other of them; in that case the Delinquent alone shall incur Punishment, and the prohibited Goods only shall be confiscated.

XXV. That the Goods of Subjects dying in the Kingdoms and Countries of another, shall be kept for their Heirs and Successors, saving the Right of a Third.

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XXVI. That the Concessions and Privileges granted by the said Princes to the Merchants of both Kingdoms coming to their Kingdoms, and which have ceas'd because of the War, shall be reviv'd and become effectual.

XXVII. That if it should afterwards happen (which God forbid) that Differences should arise between the most Serene Kings of *Spain* and *England*, and the Archduke and Archdutchess, whereby the Intercourse of Commerce may be in danger of being interrupted ; then the Subjects of both sides shall be inform'd of that matter, and shall be allow'd six Months from the time of such Information, to transport their Merchandizes : no Arrest, Interruption or Damage of their Persons or Goods, in the mean time, to be made or given.

XXVIII. That none of the foresaid Princes shall detain the Ships of another in their Ports or Waters for making War, or doing any other Service in prejudice of their Masters and Owners, without first acquainting the Prince to whom the Ships belong, and obtaining his Consent.

XXIX. It is concluded, That if during the Peace and Amity any thing shall be attempted, acted or done by Land, Sea or fresh Water, contrary to the Force and Effect thereof, by any of the Vassals, Subjects or Allies of the said Princes, or of their Heirs and Successors, or by the Heirs and Successors of their Allies, or the Subjects or Vassals of such as are comprehended in this Treaty ; nevertheless this Peace and Amity shall remain in their Force and Effect, and those attempting and doing Damage only shall be punish'd, and no others.

XXX. That the Prisoners taken in War on both sides, altho sent to the Gallies, shall be set at liberty, the Expences of their Maintenance being paid by those out of the Gallies, and their Ransom discharg'd by those who shall first agree about it.

XXXI. It is concluded, That all Civil Actions which subsisted and were in being at the Beginning and in the Progress of the War, may be yet exercis'd, notwithstanding the elapsing of the time during the War ; so that during the whole Course of the War, they shall not be reckon'd to be any way prejudic'd, saving such as have come before the Fiscal.

XXXII.

XXXII. That if any Controverſy ariſe in the Kingdoms or Dominions of one or other, by any other not a Subject, on account of Captures or Spoils, it ſhall be remitted to its proper Judg in the Territory of that Prince, againſt whoſe Subject or Subjects it is commenc'd.

XXXIII. That if the *Hollanders*, and the other Confederated States, will accept of the Conditions of the Pacification with the moſt Serene the Archduke and Archdutcheſs, or their Succeſſors, thro the Mediation of the moſt Serene King of *England*; the ſaid moſt Serene Archduke and Archdutcheſs, and their Succeſſors, ſhall always willingly give ear to whatever ſhall be propos'd; and be deſirous that by the means of the moſt Serene King of *England*, they may receive equitable Conditions, and acknowledg how much they attribute to the Authority of the ſaid moſt Serene King of *England*, their moſt dear Brother.

XXXIV. It is concluded and confirm'd, That in the preſent Treaty of Peace may be comprehended the Adherents, Friends and Confederates of the ſaid Princes, *viz.* on the part of the moſt Serene the King of *Spain*, and the Archduke and Archdutcheſs, *Rodolph* Emperor of the *Romans*, and his Brothers, and other Princes Archdukes of *Austria*, the Princes of the Empire, the Electors, Cities and States ſubject to the Empire, the King of *France*, the King of *Smedeland*, the King of *Denmark*, the Duke and Republick of *Venice*, the Duke of *Savoy*, the Duke of *Bavaria*, the Duke of *Cleve*, the Duke of *Holſtein*, the Duke of *Lorain*, the Duke of *Parma* and *Placentia*, with the Cardinal his Brother, the Biſhop and Province of *Liege*, the Duke of *Florence*, the Duke of *Mantua*, the Duke of *Modena* and *Reggio*, the Duke of *Urbini*, the Leagues and Cantons of the *Helvetians* and *Griſons*, the *Hanſeatick* Towns, the Counts of *East-Friſeland*, without prejudice of the Right pretended by the King of *Spain* and the Archduke over their States, the Duke and Republick of *Genoa*, the Republick of *Lucca*, the Head of the *Columnian* Family, the Prince of *Oria*, the Head of the Family of the *Urſini*, the Duke of *Sermoneta*, the Lord of *Monaco*, the Count of *Mirandola*, the Marquiſs of *Maſſa*, the Count of *Sala*, and Count of *Colerno*.

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XXXV. And on the part of the most Serene King of *England*, *Rodolph* Emperor of the *Romans*, with the Archdukes of *Austria*, and the Electors of the Empire, together also with the States and Cities of the Empire, the Duke of *Lorain*, the Duke of *Savoy*, the Dukes of *Brunswick*, *Lunenbourg*, *Mecklenbourg* and *Wirtenburg*, the Landgrave of *Hesse*, the Marquis of *Baden*, the Duke of *Pomerania*, the Prince of *Anhalt*, the Counts of *East-Friseland*, the Cantons of the *Helvetians* and *Grisons*, the Maritime *Hanseatick* Towns, the most Christian King, the King of *Poland* and *Swedeland*, the King of *Denmark*, the Duke and Commonwealth of *Venice*, the Duke of *Holstein*, and the Duke of *Tuscany*.

XXXVI. It is agreed and concluded, That the said most Serene *Philip* King of *Spain*, &c. *Albert* and *Isabella Clara Eugenia*, Archduke and Archdutchess, &c. *James* King of *England*, &c. shall sincerely and *bona fide* observe and keep all and singular the Articles agreed and stipulated in this present Treaty, and cause them to be observ'd and kept by their Subjects and Inhabitants; nor shall they contravene them directly or indirectly, or consent that their Subjects or Inhabitants contravene them directly or indirectly: And they shall ratify, authorize and confirm all and singular as agreed above, by their Letters Patent subscrib'd with their own Hands, and seal'd with their Great Seals; and shall deliver, or cause to be deliver'd, on the first Opportunity, the said Letters Patent, *bona fide*, really and effectually, conceiv'd in sufficient, valid and effectual Form; and shall make a like Promise to observe and keep all and singular the Premises, on the word of a King and Prince, and even swear on the Holy Gospels, if they are thereto requir'd by the other Party. The foresaid Kings, and Archduke and Archdutchess shall also cause the present Peace and Amity to be proclaim'd in the accustomed Places, as soon as conveniently may be.

A Treaty between Henry the IVth, King of France, and James the Ist, King of England, for the Security and Freedom of Commerce between their Subjects. At Paris the 24th of February, and ratify'd by Henry the IVth, the 26th of May, 1606.

HENRY, by the Grace of God, King of *France and Navarre*; To all who shall see these Presents, Greeting. Whereas we have appointed and deputed our beloved and faithful Counsellors in our Council of State, the Sieurs *de Maisse* and *de Boissizé*, to treat, confer and resolve with Sir *Thomas Parry*, Knight, sometime Ambassador at our Court, on the part of our most dear and most beloved good Brother, Cousin and antient Ally, the King of *Great Britain*, about continuing and encreasing more and more the good Friendship and Correspondence that is betwixt us, and to procure the Good and Advantage of our Kingdoms, namely in what concerns Traffick and Commerce between our common Subjects. And so let it be, that according to the Powers and Commissions that have been respectively given by us and our said good Brother and Cousin, which shall be inserted at the end of these Presents, our said Commissioners on both sides have concluded and settled, according to our good Pleasure, the Treaty and Articles, whereof the Tenor follows.

In the name of the Omnipotent God, be it known to all and every one, That *Henry IV.* by the Grace of God, the most Christian King of *France and Navarre*; and *James*, by the same Grace of God, King of *Great Britain and Ireland*, being desirous to continue and increase the good Friendship and Understanding which is between their Majesties, and to procure the Good and Benefit of their Kingdoms, namely, in what concerns

Traffick and Commerce between their Subjects, that so they may with all Freedom and Safety traffick with one another; and to remedy all the Difficulties that occur at this present, or may arise for the future, in the Traffick and Commerce which is carry'd on between their Kingdoms, have appointed and deputed, *viz.* the most Christian King, us *Andrew Hurault*, Sieur of *Maisse* and *Bellebat*; and *John de Thumery*, Sieur of *Boissize*, Counsellors to his most Christian Majesty in his Council of State and Privy Council, his Commissioners and Procurators, with sufficient Power and Authority for that Effect, sign'd with his own Hand, and seal'd with his Great Seal. And the said Lord the King of *Great Britain*, has also appointed and deputed us *Thomas Parry*, Knight, and Ambassador from his Majesty of *Great Britain* to his most Christian Majesty, his Procurator and Commissioner, sufficiently authoris'd and warranted by Office and Power; as will appear by the Tenour of our said Powers and Commissions respectively given and granted to us by the said most Christian King, and the King of *Great Britain*, which shall be inserted word for word at the end of these Presents. We have therefore agreed and treated, in the name of the said Kings, the following Stipulations, Pactions and Articles, according to the Good Will and Pleasure of their Majesties.

I. It was agreed and concluded, That the preceding Treaties shall not in any wise be thought to be departed from by any Article contain'd in this present Treaty; but that they shall remain in their former Force and Virtue, but only in so far as any thing is derogated from them by this present Treaty.

II. It was also agreed and concluded, in order to confirm and augment more and more the good Understanding and Friendship that is between his most Christian Majesty and his Majesty of *Great Britain*, That Orders shall be issu'd thro all the Provinces, Towns, Ports and Harbours of the said Kingdom, to treat the Subjects of the one and the other Prince kindly and favourably, and allow them to traffick safely and freely with one another, without molesting them, or permitting them to be groundlessly vex'd or molested, for any Cause, or upon any Occasion whatsoever, contrary to the Laws and Constitutions of the Places where they shall be; and the
Officers

Officers on both sides shall be enjoin'd to a strict Execution of what is aforementioned, upon pain of answering, in their own private Name, for the Expences, Damages and Interests of the Parties, against whom they shall be found to have done otherwise.

III. It has likewise been agreed and concluded, That all Duties and Imposts, which are at present rais'd upon the Subjects, Merchandizes and Commodities of the one or the other Kingdom, to the Profit of their said Majesties, by their Farmers and Commissioners, shall continue to be rais'd, as they are at present, and that provisionally, until they can be taken off or moderated, which shall be as speedily as the Affairs of the one and the other Prince will allow. And that every Person on the one and the other part may certainly know what Duties and Imposts they are oblig'd to pay, there shall be drawn up a Paper, containing the Rates of Duties and Tolls in both Kingdoms, which shall be plac'd and fix'd in the publick Places, as well of the City of *Roan*, and other Towns of *France*, as of the City of *London*, and other Towns in *England*; to which Recourse may be had as often as shall be necessary.

IV. As to the Taxes and Imposts which are rais'd for the Benefit of certain particular Towns of both Kingdoms, it has been propos'd, That the Mayors and Echevins of the Cities of *Roan*, *Caen*, *Bourdeaux* and others, shall immediately present to his Majesty's Council the Letters, in virtue whereof they raise and continue the said Duties, in order to have them annul'd and abolish'd, if the Letters, in virtue of which they have been rais'd, be irregular or illegal; strictly prohibiting them, in the mean time, on pain of Death, and of restoring four-fold, to raise more than the said Letters appoint, or to exceed the Conditions of the said Letters: And the like shall be done by the Mayors and Aldermen of the City of *London*, and other Towns of the said Kingdom of *Great Britain*.

V. It has likewise been agreed, That the *French* Merchants trading in *England*, shall not be oblig'd to give any other Caution or Security for the Sale or Purchase of their Merchandizes, but their Caution by Oath; nor suffer any Delays or Discharges, or be at any Charge or Expence upon that account.

VI. Moreover it has been agreed and concluded, That *French Ships* may freely go to the very Key of the City of *London*, and other Ports and Harbours of *Great Britain*, and that they may there lade and freight with the same Liberty and Freedom that the *English Ships* enjoy in *France*; so that it shall not be lawful to give them any Hinderance or Impediment on either side, either before or after the Lading, nor constrain them to unlade their Vessels into others. And in all other things the Freedom and Equality of Trade and Commerce shall be kept and observ'd the best that can be.

VII. And because it is impossible to provide against particular Complaints, even concerning the Quality of the Merchandizes and Commodities which are transported from the one Kingdom to the other, and prevent the Mistakes and Abuses there committed; it has been agreed, That for the better and readier prevention thereof, his most Christian Majesty shall name two noted *French Merchants* in the City of *Roan*, Men of Substance and Experience, who, together with two *English Merchants* of like Quality, who shall be nam'd by the Ambassador of *Great Britain* residing at his most Christian Majesty's Court, shall receive the Complaints of the said *English Merchants*, and remove all Differences that may happen on account of the said Traffick and Commerce, in the said City of *Roan*, and Harbours of the said Province. As also his Majesty of *Great Britain* shall name two noted Merchants in the City of *London*, who, in like manner, together with two *French Merchants*, nam'd by the *French Ambassador* residing at the Court of his Majesty of *Great Britain*, shall do the like, and readily provide against and satisfy all Complaints that may happen on account of the foresaid Traffick and Commerce. And when they cannot agree, the foresaid four Merchants shall agree upon a fifth *French Merchant* if it be at *Roan*, and upon an *English Merchant* if it be at *London*, so that the Judgment pass'd by the Plurality of Voices shall be follow'd, and put in execution; and for that effect necessary Powers and Commissions shall be granted them on both sides. And in case there should happen any remarkable Difficulty, fit to be laid before the one or the other Prince, the said Merchants thus deputed on both sides shall respectively acquaint

quaint the Council of the one and the other Prince therewith, to have it discuss'd without any Delay.

VIII. The like Establishment shall be made and observ'd in the Cities of *Bourdeaux* and *Caen*, as also in the Cities and Towns of the Kingdoms of *Great Britain* and *Ireland*, in order to provide (thro the means of those who shall be nam'd and deputed) against the Complaints and Difficulties that may happen about the Regulation of the said Traffick and Commerce, in the same Form as above.

IX. And for the greater Ease of the said Merchants of both sides, it has been propos'd, That the said Merchants, as well *French* as *English*, who shall henceforth be call'd *Conservators of Commerce*, shall be nam'd and deputed from year to year, and shall make Oath before the Prior and Consuls, as well of the City of *Roan*, and other Cities of the Kingdom of *France*, where they shall be establish'd, as in the City of *London*, and other Places, where it shall be needful, to acquit themselves well and faithfully of the said Charge; and shall be oblig'd, during the said time, to perform their Office, according as occasion shall require, without exacting any thing of the Subjects of either Kingdom, except only for the written Acts and Deeds which the Parties shall be willing to have, for which a reasonable Fee shall be paid.

X. That all extraordinary Salaries, and other Profits and small Perquisites which the Officers of Places take and demand of the Merchants of the one or other Kingdom, the Guards and Counterguards, Laders and Unladers, Packers, Porters, and in general all others shall be regulated and moderated by the said Conservators, and a reasonable Tax shall be laid on by them for the same, which shall be sent to the Council of the one and the other Prince, there to be revis'd and settled, and afterwards publish'd and fix'd on the Cross-ways and publick Places, that so every one concern'd on both sides may certainly know what he ought to pay.

XI. The Conservators shall also inform themselves particularly of the Franchises and Privileges that any Cities or Burghers of the same pretend to in either Kingdom, of the Conveniency and Inconveniency of the same; and shall give an account thereof to both Princes, in order to have them regulated and modify'd, according to the

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antient Usages of those Places, as it shall be settled in the Council of the said Princes.

XII. It shall be the Business of the said Conservators to take care of the Weights and Measures in every City of the one and the other Kingdom, that so there may be no Fraud or Abuse on either side ; and with regard to Merchandizes, they shall regulate such as they shall judge proper to be inspected and visited.

XIII. And forasmuch as the chief Complaint made by the Ambassador of *Great Britain*, and the *English* Merchants, is against an Arrest made in the Council of his most Christian Majesty the 21st day of *April*, 1600. bearing a Regulation in the Affair of the Cloth carry'd by the *English* Merchants into the Kingdom of *France*, and especially into the Provinces of *Normandy*, *Bretagne* and *Guienne* ; his most Christian Majesty being willing more and more to satisfy his good Brother the King of *Great Britain*, upon the many Sollicitations made by his Ambassador ; desiring also to facilitate the Trade of the said Cloth, yet without any Disadvantage to the Publick ; has and does revoke the said Arrest, and has and does for the future discharge the said *English* Merchants of the Confiscation made as well by this, as by other Arrests and Ordinances occasion'd by the said Cloth-Trade, and has and does permit them to carry back into *England* bad and unfashionable Cloth. And forasmuch as the said *English* Merchants may be vex'd and put to trouble, and their Cloth detain'd and seiz'd, with Damage and Loss of Time in the Contest that may happen about the quality of the said Cloth, it has been agreed, That the said Conservators of Commerce, deputed as above, in case the Complaint comes to them, shall judge which of the said Cloths are good and fit for the Market, according to their Price and Value, to be sold and laid out, or which of them shall be return'd to *England*, as being bad : and his Majesty shall rely upon their Conscience and Loyalty, holding that acceptable which shall be ordain'd by them in this matter ; not meaning however that any Duty should be paid at the Removal and Return of the said bad Cloth into *England*.

XIV. It has been agreed, That the Liberty and Freedom of Trade and Commerce shall be maintain'd in the
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State it is at present on both sides, as well of manufactur'd Goods, as not manufactur'd, according to the present and preceding Treaties : nor shall it be lawful on either side to make any Prohibitions in the matter of Traffick, and if any have been made, they shall be revok'd; excepting nevertheless Contraband Goods, the Transportation whereof has been in all times, and is to this Day prohibited and forbid by the Laws of both Kingdoms, the State of which shall be drawn up on both sides.

XV. It has been agreed, That in case any Vessel happens to come from *England* into *France*, or from *France* into *England*; laden with a greater quantity of Merchant-Goods than what it shall have paid and clear'd the Duties due to both Princes for, the said Quantity not clear'd only shall be seiz'd and confiscated, and not the Surplus or Remainder of the said Merchandizes; provided there be no Contraband Goods among these Merchandizes, which are forbid and prohibited in both Kingdoms: In which case the Ordinances of both Princes shall be observ'd.

XVI. It has also been agreed, That the Inhabitants of the Isles of *Jersey* and *Guernsey* may freely and safely pass and traffick in the Kingdom of *France*, and enjoy in *France* the same Privileges that the *French* enjoy in the said Isles; nevertheless they must both pay the Duties appertaining to both Princes.

XVII. Ready and speedy Justice shall be render'd to the Subjects of his Majesty of *Great Britain*, in their Causes and Processes; and the Officers of the Ports and Harbours of *Normandy*, *Bretagne* and *Guienne*, shall be order'd to treat them favourably; and when any Affair of Importance happens, his most Christian Majesty enjoins his Council to take cognisance of it, or to furnish them with unsuspected Judges. And on the other hand, the like shall be done by the King of *Great Britain* to the Subjects of his most Christian Majesty, being in *England*, and requiring Justice.

XVIII. The Subjects of his most Christian Majesty entering into the Sea-Ports of the said Country of *England*, shall no more pay the Duty of Cocket from henceforth, than the naturaliz'd *English*.

XIX. The Subjects of his most Christian Majesty, and those of his Majesty of *Great Britain*, who shall by Misfortune, Storm or Fortune of War, be forc'd to cast Anchor in any of the Ports or Harbours of either Kingdom, shall not be oblig'd to pay any Duty, either for the Entry or the Removal of their Goods and Merchandizes; provided that the Master of the Ship, or the Factor, be oblig'd the same day, or the next day after their Arrival, to declare to the Officers of Justice of either Kingdom, the Truth and Occasion of their entering into the said Harbour, and even to show their Commission if needful, and on condition also that they depart the first convenient Opportunity. And if, during their stay, they be oblig'd to sell their Merchandizes, or part of them, thro necessity or otherwise, they shall be oblig'd to pay the Duties thereof, in proportion to what they sell; and as for the Surplus, they may transport it as above.

XX. And his most Christian Majesty being willing to show and make known more and more the Esteem he has for the Friendship of the King of *Great Britain* his good Brother, and the Desire he has to treat his Subjects trading and living in *France* kindly and favourably; and also in favour of Commerce and Traffick, altho the Right of Escheatage be one of the most antient Privileges of his Kingdom; nevertheless his said most Christian Majesty has permitted and does permit the *English* Merchants, their Factors, and all other Subjects of the King of *Great Britain*, to dispose at their Pleasure, whether in Life, or on the account of Death, of all their Merchandizes, Silver, Mony, Debts, and all other movable Goods they shall have in the Countries subject to his most Christian Majesty; and that after their Death, whether they have made a Will or no, their Heirs may succeed them, according to the Laws of *England*; so that by the Right of Escheatage their Goods cannot be confiscated for the future.

XXI. In like manner it has also been agreed, That the *French* shall dispose as they please of their Goods which they shall have in *England*, *Scotland* and *Ireland*, and other Countries under the Obedience of the King of *Great Britain*, whether by Death or otherwise; and that after their Death, whether they have made a Will

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or no, their appointed or lawful Heirs shall succeed them, according to the Laws of *France*. Provided however, that the Will and nearest Succession, as well of the Subjects of the King of *France* as of the King of *Great Britain*, be legally prov'd in *France* or in *England*, viz. in the Country of the Prince where they happen to die.

XXII. And until Justice be done for Piracies and Depredations pretended to have been committed on both sides by the Subjects of the one and the other Kingdom (which shall be done with all possible speed) it has been concluded, That all the Letters of Mark and Reprisal, that have been formerly issu'd by the one and the other Prince, shall be suspended, and shall not be put in execution on either side, till it shall have been otherwise advis'd by the Council of both Princes; and that for the future no Letters of Mark and Reprisal shall be issu'd, till the Ambassador residing at the Court of the one or the other Prince be first advertis'd thereof, and till they be seen and deliberated upon in the Council of both Princes, seal'd with their Great Seals, and till all the Solemnities requisite in such Cases be kept and observ'd.

XXIII. Finally, it has been concluded and agreed, that the present Treaty shall be kept firm and stable, as long as the Alliance, mutual Amity and Correspondence shall last between the said Kings and their Successors; and that this Treaty shall have the Sense and Meaning which the Force and Propriety of the Words represent, and shall receive no Interpretation that may alter or hinder in any wise the Force, Form and Effect of the clear and simple words, in which this Treaty is conceiv'd: but all subtle Fetches and Inventions being set aside, which commonly subvert the sincere and amicable Intention of the Parties contracting, what has been agreed and transacted by this Treaty, shall be sincerely and entirely kept, maintain'd and observ'd.

The which Articles above specify'd, and every one of them, have been treated, pass'd and agreed between us the foresaid Deputies, by virtue of our Powers and Commissions; the whole by the good Will and Pleasure of their said Majesties. And we deputed by his most Christian Majesty have promis'd, and do promise, That his said most Christian Majesty shall ratify, approve and

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authorise all and every one of the Articles contain'd in this Treaty, by Letters Patent sign'd with his own Hand, and seal'd with his Great Seal, which shall be verifi'd whenever it shall be found necessary and proper. The which Letters of Ratification, in sufficient and valid Form, the said most Christian King shall cause to be deliver'd and given, within three months from the Day and Date of these Presents, to the Ambassador of his Majesty of *Great Britain*, residing at the Court of his most Christian Majesty, who shall be furnish'd with sufficient Power and Authority to receive them.

And in like manner we the foresaid Ambassador and Deputy of the King of *Great Britain*, have promis'd, and do promise, That all which the said most Christian King is bound to do and fulfil by these Articles, the said King of *Great Britain* shall do and fulfil the same; and shall ratify and approve the present Treaty within the same time, and in the same Form and Manner as above, if their said Majesties find it proper and convenient.

In Faith and Testimony of every one of which things, we the deputed Commissioners have with our Hands countersign'd the present Treaty, and strengthen'd and confirm'd the same by affixing our Seals. Done at *Paris* the 24th day of *February*, 1606. Sign'd, *Hurault, De Thumery*, and *Parry*, with a Seal of the Arms of each of the foresaid Persons.

We make it known, that we being desirous *bona fide* to embrace all the means of continuing and encreasing the good and sincere Amity and Correspondence which is betwixt us and our said Brother, and not to omit any thing that may serve to facilitate the said Commerce, have agreed, ratify'd and approv'd, and do by these Presents agree, ratify and approve the Contents of the said Treaty above-written, in all its Points and Articles: Promising on the Faith and Word of a King inviolably to maintain and observe it, without ever doing any thing to the contrary, directly or indirectly. In witness whereof we have sign'd these Presents with our own Hand, and caus'd our Seal to be put and affix'd thereto. Given at *Fontainebleau* the 26th day of *May*, the year of Grace 1606. and of our Reign the Seventeenth. Sign'd *Henry*. By the King in Council, *De Neufville*.

1 *Treaty of Guaranty by James the I. for the Treaty between the Archduke and Archduchess Albert and Isabella, and the States General of the United Provinces. At the Hague, the 26th of June 1608.*

SO let it be, That the Lords the States General of the *United Provinces*, having lately sent into *England* their Deputies to the most High, most Potent, and most Excellent Prince *James*, by the Grace of God, King of *Great Britain, France and Ireland*, with a Charge to acquaint him with the Offers made by the most Serene the Archduke and Archduchess, *Albert and Isabella*, to contract with them a good and secure Peace, owning that they have no manner of Pretensions upon the States of the *United Provinces*, and obliging themselves to restore the King of *Spain's* making the same Acknowledgment; the which Deputies of the said Lords the States have earnestly pray'd his said Majesty of *Great Britain*, that he would be pleas'd to send into their Provinces some Persons qualify'd to assist the said Lords the States with their best Advice, Counsel and Judgment in this so important a Negotiation for the Benefit of their State, with Orders (if it please God to grant them Peace) to make with them in his Name, and on his part, a Defensive League for the maintenance of the same: His Majesty understanding how much it is for the Interest of all *Christendom*, that these Provinces, after having been harass'd with a miserable and bloody War, should be again establish'd and settled in good and sure Quiet and Repose, has thought good to send to them his most Dear and Faithful Servants, *Richard Spencer* Knight, and Gentleman of his Bedchamber, and *Alph Winwood*, Counsellor on his part in the Council of State of the States General of the *United Provinces*; whose Relation having understood the serious Instances

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ces that the Lords the States had made them from day to day, for the Advancement of this League, and perceiving the Diffidence and Jealousy which this long War had fix'd in the Minds of all their People, that this would be the only Means of inducing all the *United Provinces* with an unanimous Consent, to hearken to the Overtures presented by the said most Serene Archduke and Archdutchess, and in the mean while ratify'd by the said Lord the King of *Spain*; after mature Deliberation, and with Advice of his Council, that such a Holy and Pious Work may have its desir'd Effect the soonest that can be; he hath given Commission and full Power to his said Ministers to enter with the Lords the States into a Defensive League, the which, when the Peace is made, may render it for ever inviolable and perpetual. Agreeably to which Commission, this day, being the 26th of June 1608. *Richard Spencer* and *Ralph Winwood*, Knights, &c. by virtue of the Letters of Power and Commission of the said Lord the King of *Great Britain*, &c. of the 21st of *December* last, on the one part, and the Lord *Cornelis van Gent*, Lord of *Loenen* and *Meynerswyck*, Viscount and Judge of the Empire, and of the City of *Nymegen*; Mr. *Johan van Oldenbarnevelt*, Knight, Lord of *Tempel*, *Rodenrys*, Advocate of the State, and Keeper of the Seal, Charters and Registers of *Holland* and *Westfriseland*; *James Malderce*, Knight, Lord of *Heyes*, the first Representative of the Nobles in the States and Council of *Zeeland*; *Nicolaes van Berk*, first Counsellor of State in the Province of *Dreacht*; *Sixtus Decama*, Lord of *Jellum*, *Tamingborg* and *Marne*; *Johan Sloeth*, Lord of *Sallick*, Chastelain of the Lordship of *Cuinder*; and *Abel Coenders* of *Helper*, Lord in *Faen* and *Cantes*, specially deputed and commission'd for that effect by the States General of the said Provinces, at present assembled at the *Hague* in *Holland*, and, by virtue of procuratory Letters of the 20th of this Month, have made together the Treaty of Alliance and Confederacy which follows.

I. All Treaties, Alliances and Confederacies formerly made between the said Lord, the King of *Great Britain*, &c. and the late Queen of *England*, &c. of high Memory, and the Lords the States, shall remain entire in their

their former Vigour, in all Points not chang'd or derogated from by this Treaty.

II. The said Lord, the King of *Great Britain*, hath promis'd, and doth promise *bona fide* to assist the States so far as he can, to obtain a good and secure Peace, and, if it please God to give it them, to use his utmost Endeavours to make it to be observ'd, and defend them and their Country from all Injury, Violence and Invasion against all Princes, Potentates and other Persons whatsoever, endeavouring to infringe and violate the said Peace, directly or indirectly; and for this effect to assist them with twenty good Ships from three Hundred to six Hundred Tuns, well arm'd and equip'd as well with Men as Provisions, and all other Things necessary for War: And to assist them every Year with 6000 Foot, and 400 Horse, at his own Cost and Expence, from one three Months to another, by way of Anticipation, on the same Foot that the States are accusom'd to observe in the Payment of their Troops.

III. The States General oblige the *United Provinces* as well in general as in particular to reimburse to him, or his Heirs and Successors, the Charge and Expence of these twenty Ships which his Majesty shall be at from time to time, as also the Sums of Money for the Payment of his Troops that shall be disburs'd by him from year to year as above, within five Years after the War is ended, by equal Portions annually.

IV. And because it is proper and expedient to try all means, amicably to repair all Attempts, if any such shall be made, contrary to, and in prejudice of the Peace, before coming to Arms the Aggressors shall be summon'd and requir'd to make the said Reparation. And in case they refuse, or delay above three Months, the Succours shall be granted without any further delay: Nevertheless the said Lord the King does not mean to suspend the said Succours till after the Expiration of that Delay, in case Attempts shall have been made secretly by surprizing of Places, or any Arrest of Ships, or general Seizure made by Publick Authority, but to have recourse thereto immediately, and send the said Succours the soonest that can be, after having been thereto pray'd and requir'd.

V. In acknowledgment whereof, and of other great Favours and Assistances which the said Lords the States have

160 *K. James's Treaty of Guaranty, 1608.*

have receiv'd of his Majesty, they have promis'd, and shall be oblig'd, in case the said Lord the King is attack'd or disturb'd in any one of his Kingdoms, or in any Island that is under his Obedience by any Prince or Potentate whatsoever, to succour and assist him immediately after they shall be thereto requir'd, with 20 Ships from 300 to 600 Tuns, or with as many Ships as shall be equivalent to them in Force and Bigness, well arm'd and equip'd as well with Men as with Provisions, and all other Things necessary for War; and to assist him every Year with 4000 Foot, and 300 Horse at their Expence, and pay'd from three Months to three Months before hand; or to furnish him the Charge and Maintenance of the said Troops every Year from three Months to three Months, at the choice of his Majesty, on the foot that they themselves are accustom'd to observe in the Hire and Payment of their own Troops.

VI. The Charge and Expence of so many Ships as the said Lords the States shall put to Sea for the Service of his Majesty, which they shall be at from time to time, as also the Sums of Money which they shall disburse from year to year for the Maintenance and Payment of the said Troops, his said Majesty obliges himself, his Heirs and Successors, to reimburse to them within five Years after the War is ended, by equal Portions annually.

VII. The said Forces thus promis'd, and which are to be given on both sides, shall be employ'd, according as the Party that demanded Assistance shall judge requisite, whether in his own Counrry for his own Defence, or elsewhere, if it is found more useful and effectual for his Preservation.

VIII. If it happens that the said Lord the King gives Succours to the said Lords the States, or they to him; the Party attack'd, having receiv'd the said Succours, shall not make any Treaty with the Aggressor, without the expresse Consent of the other.

IX. The present Treaty shall not take place till after the Peace, and shall from that time continue, not only during the Life of the said Lord the King, but also during that of his Successor and Heir in his Kingdoms, Countries, Lands and Dominions, provided it be confirm'd within a year and a day after the Decease of the said Party. To which the King means to oblige himself as much

Treaty between Lewis XIII. and James I. 161

as is allowable for him, and that this Alliance as being made with his Estates and Crowns, be perpetual.

X. This present Treaty shall not in any wise be prejudicial to the Treaty made by the Lords the States, with the most Christian King, the 23^d of *January* last, nor that to this; but both of them shall remain for ever in their Force, according to the Contents of the Articles, and the Intention of the Contractors.

XI. And this Treaty shall be well and duly ratify'd by the States General at present assembled at the *Hague*, within three Days, and by the said King in two Months after; as also in the like time by the Provinces that have sent their Deputies to the said Assembly: and the said Ratifications shall be deliver'd on both sides in good and due Form at the same time, and two Months after the Publication thereof shall be made in all the Places usual. Given at the *Hague*, the Year and Day aforesaid; sign'd by the said Lords the Deputies, and seal'd with their Arms, and the said Names, and was sign'd, *Richard Spencer, Ralph Winwood, Cornelis van Gent, Johan van Oldenbarnevelt, J. de Malderree, Nicolas van Berk, Johan Sloeth, Abel Coenders van Helpen*; and seal'd with the respective Arms of the said Lords the Deputies.

A Treaty of Confederacy and Alliance between Lewis the XIII. King of France, and James the I. King of England, made at London, the 29th of August 1610.

IN the Name of the Almighty, most Gracious and most High God: Be it known to all those who shall see these Presents, That as there is nothing more necessary or useful in order to preserve and increase a good Peace and Amity between neighbouring Princes, than to establish and confirm it from time to time by mutual and secure Treaties and Alliances, in order to render

it more illustrious, and perpetuate it to Posterity ; and as the most antient Treaties and Alliances between the Crowns of *France* and *England*, have been by the Injury of Time some way interrupted and suspended ; and as the most invincible *Henry* the IV. the most Christian King of *France* and *Navarre*, and *James* King of *Great Britain* and *Ireland*, were endeavouring to renew and confirm the same, it fell out unexpectedly that the most Christian King *Henry* died while the Treaty was making by their Deputies in virtue of their Commissions : and as *Lewis* XIII. the most Christian King of *France* and *Navarre*, reigning at this present, testify'd by the Advice and prudent Counsel of the most Serene Queen *Mary* his most Honour'd Lady and Mother Regent of *France*, and by the Advice of the Princes of the Blood, and other Chief Officers and Counsellors of the Crown, that he had nothing more at heart than to follow the Footsteps of his most Invincible Father, and to cultivate the same Amity and Friendship with the most Serene King of *Great Britain* and his Children, which the said King of *Great Britain* also desires with the utmost Ardor and Affection : Therefore the said Kings have judg'd that nothing can be more salutary and profitable, not only to their Kingdoms, but also to all *Christendom*, than to renew and bring to a happy Issue this Treaty of Alliance, and Confirmation of the mutual Amity, which is interrupted by that unfortunate Death ; and each of the said Lords the Kings have given Commission to us, that is to say, the said most Christian King to us *Anthony de Boderie*, Knight, Lord of *Pompone* and *Brou*, Counsellor of State to his said Majesty, Ambassador at the Court of the said Lord the King of *Great Britain* ; and the said Lord the King of *Great Britain* to us *Robert* Earl of *Salisbury*, *Henry* Earl of *Northampton*, *Edward* Earl of *Zouche-St. Maur* and *Chanteloup* ; *Charles*, Earl of *Nottingham* ; *Edward* Lord *Wootton* and *Marley* ; *Edward*, Lord *Bruyere* and *Kinlosse* ; *Julius Caesar*, Knight, Chancellor of the Royal Exchequer ; and *Thomas Parry*, Knight, Chancellor of the Dutchy of *Lancaster* : between whom on both sides it has been agreed in the Manner and Form following.

I. It has been agreed and concluded, That by any of the Compacts, Conventions, Articles or Points contain'd
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in the present Treaty of Alliance and Union, it is not meant in any sort to depart from the preceding Treaties and Confederacies made between the said Lords the confederated Kings and their Predecessors, either for the Kingdoms of *France* and *England*, or for the Kingdoms of *France* and *Scotland*; but that notwithstanding they shall remain in their full Force, Firmness and Vigour, provided they be not contrary or repugnant to the present Treaty of Union, or to any of the Articles contain'd therein.

II. It has been agreed and concluded, That no Succour, Favour or Aid shall be given publicly or privately, directly or indirectly, by either of the Confederates; nor shall either of them suffer them to be given by his Subjects to any one of what Condition, Degree, State or Dignity soever, or to any other whatsoever, who shall invade, or endeavour to invade the Kingdoms, Countries, Lands, Dominions or other Places appertaining to one of the said Lords contracting in this Treaty.

III. But that there shall be a Confederacy, League and Union between the said Princes, for the mutual Defence of their States, Dignity and Rank, against all Persons of what Condition soever they be, who under any Pretext or Colour, or for any Reason, without demanding any whatsoever, shall invade, or endeavour to invade in a hostile manner, by Force and Arms, the Persons, Kingdoms, Countries, Lands or Dominions possess'd and held by the said Princes, or either of them, at the time of the Conclusion of the present Treaty.

IV. Nor shall the said Princes give any Succour or Aid in any manner whatsoever, or suffer it to be given by their Subjects to such as shall be Rebels to either of the said Princes, or who shall take up Arms against them.

V. It is likewise agreed and concluded, That the present Treaty of League, Alliance and Union, shall be perpetual; so that during the Lives of the said most serene Lords the most Christian King, and the King of *Great Britain*, it shall remain firm, stable and inviolable without any exception; and after the Death of either of them, shall be transfer'd to their Successors: provided that within a year after the Decease of one of the said Princes, his Successor signify to the Survivor by his Am-

bassador, and by Letters, that he accepts the same Conditions and the same Alliance, and that he will continue the same Friendship. But if the Successor to the Deceas'd does not make known as above to the said surviving Prince within a year; the same surviving Prince shall be free from all the Obligation of the present Treaty.

VI. And the same thing, in the same manner as above, shall be done and observ'd between the Heirs and those who shall succeed to the Crowns and States of the Kingdoms of *France* and *Great Britain*.

VII. It has been agreed and concluded, That for the Defence and Preservation of the Persons of the said most serene Princes, their States, Kingdoms, Countries, Lands, Dominions, Towns, Burghs, Castles and Territories possess'd and held by either of them, at the time of the Conclusion of the present Agreement and Treaty, against all Invaders and Aggressors in a hostile manner, to wit, all Princes, Potentates and Communities whatsoever, of what Degree or Dignity soever they be, or otherwise, and whatever Bond of Consanguinity or Affinity they may have, who, by way of Attempt or Hostility, shall invade or attack the Kingdoms, Countries, Lands, Dominions, Cities, Burghs, Villages, Castles, or other Places whatsoever possess'd and held, as it is said, by either of the said Princes, or who shall intermeddle in, or excite War, Injury or Damage against any one of the said Princes, or any of the Inhabitants, Subjects or others retiring into their Kingdoms, Countries, Lands, Dominions, Cities, Burghs, Villages, Castles, Territories or Places whatsoever, invading them in a hostile manner, notwithstanding any Leagues, Confederacies, Treaties and Alliances however confirm'd, or which may be confirm'd or contracted afterwards with any Princes, Potentates or Communities whatsoever, altho they should be ally'd by Consanguinity, Affinity and Confederacy to the said Kings, or to any one of them (which Treaties, Leagues, Alliances, Amity and Confederacy have been and are expressly renounc'd on this score:) And for their mutual Defence and Preservation, they shall *bona fide*, really and effectually aid and assist one another with a mutual Succour of armed Men, as well Horse as Foot, with Ships and Mariners, Cannon,

Guns,

Guns, Powder and Ball, and other Instruments of War, at the Expence of that Prince who shall demand the said Succour, as often as shall be needful, and the soonest they can conveniently after having been thereto requir'd; and as to what concerns the Number of Troops, Ships, Arms, Cannon, Artillery and other things before-mention'd, the said Princes shall aid one another in the following Manner and Form.

VIII. It has been agreed and concluded, That the most serene King of *Great Britain*, after Demand made him by Letters sign'd by the Hand, and seal'd with the Privy Seal of the most Christian King, invaded or assaulted by War, demanding Assistance, two Months after the said Demand, shall be oblig'd for his Defence by Land to furnish him with six Thousand Foot at least sent over into *France*, part arm'd with Musquets, part with Carabines, and part with Halbards or Pikes, at the Choice and Option of the said most Christian King; or such other lesser Number as shall be demanded by him: which Troops the said Lord the most Christian King shall pay only from the time of their Arrival in *France*.

IX. Moreover, it has been agreed and concluded, That as often as the said Lord the most Christian King shall demand of the said Lord the King of *Great Britain* a greater Number of Troops, in the Form and Manner as above, he shall be oblig'd to send them him, if he can conveniently do it; regard being had to Time and Place, and the State of the said Lord the King's Affairs: and the whole shall be refer'd to his own Conscience.

X. For the War and Naval Defence, it has been agreed and concluded, That the said King of *Great Britain* shall be oblig'd to furnish to the said most Christian King eight Ships of just Largeness, or such a number and in such a Condition, that twelve Hundred fighting Men may be put aboard them, and the said Ships sufficiently arm'd with all things necessary for fighting, as Guns, Powder, Ball and other such like things, without the said Lord the most Christian King's being bound to pay any thing but the Value of the Powder and Ball; and no other Troops shall be put aboard the said Ships but the Subjects of the said King of *Great Britain*, without his Consent: and the said Lord the most Christian King

shall be oblig'd to pay them and the Seamen their reasonable Wages and proper Maintenance, only from the time that the said Troops and Mariners shall have been embark'd for the Service of the said Lord the most Christian King; from which time also the said Ships, as long as they shall assist the said Lord the King, shall obey the Admiral of *France* or his Deputy, or others having the Charge and Command of the Ships of the said Lord the most Christian King.

XI. It has been agreed and concluded, That nevertheless the said Lord the King of *Great Britain* shall be oblig'd to furnish the said Ships with all the Provisions that will be necessary for them during the space of two Months, which shall be reckon'd only from the Day that the said Troops and Seamen shall have embark'd for the Service of the said Lord the most Christian King; an Estimate of which Provisions shall be made, and the Value thereof shall be paid by the said Lord the most Christian King in two Months, if the said Provisions shall have been consum'd during the time the said Ships shall have been in his Service, or in proportion to the time they shall have serv'd.

XII. It is agreed and concluded, That in like manner and reciprocally the said Lord the most Christian King shall after Demand made him by Letters sign'd with the Hand, and seal'd with the Privy Seal of the said Lord the King of *Great Britain*, requiring Succour upon his being invaded or assaulted, shall be oblig'd to furnish him within two Months after the Demand made, for his Defence by Land, with six Thousand Foot at least sent over into *Great Britain, Ireland* or his other Countries, arm'd partly with Musquets, and partly with Halbards, at the Choice and Option of the said Lord the King of *Great Britain*; or if he would rather, three Thousand Horse sufficiently mounted, accouter'd and arm'd after the *French* manner, or such other lesser Number of Horse or Foot, as he shall demand, according as the said Lord the most Christian King shall be requir'd. To which Troops the said Lord the King of *Great Britain* shall be oblig'd to pay their Hire only from the time of their Arrival in *Great Britain, Ireland*, or his other Countries.

XIII. Moreover, it has been agreed and concluded, That as often as the said Lord the most Christian King shall be requir'd by the said Lord the King of *Great Britain* to furnish him with a greater Number of Troops or Men arm'd in the manner and form aforesaid, he shall be bound to send him them, if he can conveniently do it; regard being had to Time, Place, and the State of his Affairs, which shall be refer'd to the Conscience of the said Lord the most Christian King.

XIV. For the Naval War and Defence, it has been agreed and concluded, That the said most Christian King shall be oblig'd to furnish to the said Lord the King of *Great Britain*, eight Ships of reasonable Bigness, or such a Number, and in such a Condition as that twelve Hundred fighting Men may be put on board them; and the said Ships shall be sufficiently arm'd with all things necessary for fighting, as Guns, Powder, and other such like Things, without the King of *Great Britain's* being oblig'd to pay any thing but the value of the said Powder and Ball; and none but *French* Troops shall be put on board the said Ships, without the Consent of the said Lord the most Christian King. And the said Lord the King of *Great Britain* shall be oblig'd to pay to the said Troops and Seamen their reasonable and proper Wages and Maintenance, only from the time that the said Troops and Mariners shall have been embark'd for the Service of the said Lord the King of *Great Britain*; after which time also the said Ships, so long as they shall remain in the Service of the said Lord the King of *Great Britain*, shall obey the Admiral of *England*, and his Lieutenant or Deputy, or others having the Charge and Command of the said Ships of the said Lord the King of *Great Britain*.

XV. It has been agreed, concluded and settled, That nevertheless the said Lord the most Christian King shall be oblig'd to furnish the said Ships with all the Provisions necessary for them during the space of two Months; which shall be reckon'd only from the Day that the said Troops and Seamen shall have been embark'd for the Service of the said Lord the King of *Great Britain*: of which Provisions or Victuals an Estimate shall be made, and the value thereof shall be paid by the said Lord the King of *Great Britain* in two Months, if the said Victuals

happen to be consum'd during the time that these Ships have been in his Service, or in proportion to the time that they shall have serv'd.

XVI. It has been agreed, settled and concluded, That the auxiliary Troops aforesaid, as well by Land as by Sea, shall be oblig'd faithfully to serve that Prince, to whom they are granted, so long as he shall judg it necessary to keep them; and that he shall give them their Pay and Maintenance in the manner above specify'd.

XVII. It has been agreed and concluded, in order to avoid all Scruples and Doubts that might arise concerning the Number of Horse and Foot, and Orders of Colonels, Captains, Ensigns and others having the Command of the said Horse and Foot, That as to the lending of the said Succours between these two Kingdoms, and the Payment of the Wages, the Form thereof shall be perpetually kept and observ'd, as is contain'd in the Schedule, which shall be transcrib'd at the bottom of the present Treaty.

XVIII. It has been agreed and concluded, That the one Confederate shall sell to the other, in case he shall be attack'd by any one, at a just and reasonable Price, as conveniently as may be, or shall allow his Subjects to sell and transport out of his Kingdom, Musquets, Cuirasses, Head-pieces, Powder, Guns, Balls, Sulphur, Salt-peter, and other such like things of use to repulse the Enemy.

XIX. It has been agreed, settled and concluded, That in case any Prince at any time after this, should command or suffer the *English, Scotch or Irish* Merchants, or any other Subjects whatsoever of the King of *Great Britain*, and their Commodities, Merchandizes or other Goods appertaining to them, to be apprehended, molested and detain'd in any of the Kingdoms, Lands and Dominions of any Prince whatsoever: Then and in that case the said Lord the most Christian King, his Heirs and Successors, shall admonish and require with all Diligence and Speed by their Letters and Ambassadors, whom they shall send expressly to the said Princes, that they send back the said *English, Scotch and Irish* with all their Merchandizes and Goods taken, arrested and detain'd in any of the Provinces of the said Princes whatsoever, and restore them to their former full Liberty, with Freedom

dom to depart from thence with their said Goods and Merchandizes.

XX. And in case the said Prince thus admonish'd and requir'd as above refuse to do this, or make a Delay, it has been agreed and concluded, That the said Lord the most Christian King, his Heirs and Successors, without any Delay or Pretence, and all Excuses aside, shall arrest, apprehend and detain under good and safe Custody, all and every one the Merchants Subjects of the said Prince thus refusing, who are Inhabitants of their Provinces, or who any way exercise Traffick therein, their Factors, Agents and Managers of their Affairs, as also their Merchandizes, Lands, Revenues, Patrimonies, Goods movable and immovable whatsoever, that shall be found in the Kingdoms, Lands, Countries and Dominions of the said Lord the most Christian King; and shall not set them at liberty nor restore them, till every one of the said *English, Scotch and Irish* thus arrested and detain'd as is said, be first set at full liberty in their Persons, and all their Goods whatsoever restor'd.

XXI. The which full and entire Restitution, if it cannot be made by the said Merchants Subjects of the foresaid Prince, their Agents, Factors and Managers of their Affairs, either by their Lands, Revenues, or Goods movable and immovable then found and arrested, it has been agreed, concluded and settled, That then for the second and third time, from time to time the said Lord the most Christian King, his Heirs and Successors, shall so far and so long arrest and detain the said Merchants and Goods, till Restitution shall have been fully made, and the said Merchants and Subjects of the said Lord the King of *Great Britain* be set at liberty.

XXII. It has been agreed, concluded and settled, That in order to accomplish what is above specify'd, an Ambassador shall be sent to go and return in order to make Remonstrances for the said Restitution; and as to the Stay that the Ambassador is to make in waiting for an Answer, it has been determin'd and prefix'd betwixt us, that the space of eighteen Days shall be limited for the *Belgick Provinces*, as well those which belong to the Archduke and Archdutchess *Albert and Isabella*, as those that are subject to the States of the *United Provinces*, together also with the nearest Places of *Germany*; and

and for *Spain, Italy, Poland, and other Parts of Germany* at a greater distance, the space of forty Days at most: so that after this space of Time pass'd, then immediately, and without any delay, and all Excuses aside, the Arrest and Detention of the Things aforesaid shall take place, in the manner above-mention'd.

XXIII. It has been agreed, concluded, &c. That the King of *Great Britain*, his Heirs and Successors, shall be mutually and reciprocally bound to do the same for the Subjects of the said Lord the most Christian King, their Goods and Merchandizes detain'd, arrested and seiz'd in the Kingdoms, Countries, Lands, and Dominions of any Prince whatsoever, in the same manner that the said Lord the most Christian King promis'd and engag'd to do in the preceding Articles for the Subjects of the said Lord the King of *Great Britain*.

XXIV. It has been agreed and concluded, That the Merchandizes and all other Goods taken and arrested upon any Pretext whatsoever, shall be parted from, so that they may pay and make up the Loss, Damage and Expence made and born upon this occasion by the Subjects of the foresaid Lords the Kings of *France and Great Britain* respectively.

XXV. It has been agreed and concluded, That in case the said Prince, for some Reason, Cause, or on some just and probable Ground, compriz'd in the preceding Treaties of Peace and Amity, formerly made and concluded betwixt the said Prince who shall have agreed to do the wrong, and the said confederated Princes, shall first have demanded of one of the said Princes, their Heirs and Successors in an authentick manner, Justice to be done to his Subjects; and then in case of Justice thus demanded being deny'd, this same Prince shall have arrested or cause to have been arrested any Merchants Subjects of either of the foresaid Princes, their Goods, Ships, Merchandizes or Commodities; then and in that case the said Lords the Kings, their Heirs and Successors, by virtue of these Presents shall not be bound or oblig'd to cause Restitution and Indemnification to be made to the interested Parties in the manner that is agreed above; provided that in three Months immediately following the foresaid Detentions and Remonstrances, the said Prince shall by legal Proofs and Evidences make it appear

appear to the said Lords the Kings of *France* and of *Great Britain*, that for the foresaid Reasons and Grounds, and no otherwise, he arrested the said Merchants (as is said above) Subjects of either of the said Lords the Kings, or permitted them to be arrested.

XXVI. For otherwise, it has been agreed and concluded, That the said Lords the Kings of *France* and of *Great Britain*, their Heirs and Successors, shall be reciprocally bound to give up and deliver, and even entirely to convert all and singular the Goods thus by them arrested and detain'd, to the Profit and Advantage of their Subjects respectively, that is to say, of those whose Goods the said Prince shall have order'd first to be arrested, as is said above, or permitted to be arrested; taking notice always, that the said Lords the Kings, their Heirs and Successors, during and in the mean time that the Justice of such Arrest thus made by the said Prince for the Causes above-mention'd, be legally prov'd before them, shall be bound and oblig'd, not only continually, and from time to time, to arrest and detain all and singular the Subjects of the said Prince, their Goods, Ships and Commodities; but likewise if it should happen, that the Goods of the Subjects of either of the said Lords the Kings, thus arrested by the said Prince, should exceed and surpass the just Number, Price and Value of the Goods of those, in the name and on pretext of whom the said Arrest shall have been made by the said Prince; then the said Lords the Kings, their Heirs and Successors, shall cause Restitution to be made to the Subjects of the one and the other respectively thus interested, of as many of the Goods of the Subjects of the said Prince, as ought and should suffice for their just Satisfaction and Recompence of the Value which he shall have exceeded.

XXVII. It has been agreed and concluded, That if the said Prince should not arrest as aforesaid, or permit to be justly arrested above five or six at most of the Merchants Subjects of either of the said Lords the Kings, their Goods, Ships or Commodities; or, supposing it to have been done for some particular Cause, and a certain reasonable Interest, to be discuss'd between them and the said Prince or their Subjects; then and in that case, the said Lords the Kings, their Heirs and Successors, shall not

by virtue of these Presents, be reputed as bound or oblig'd to make any of the Remonstrances or Arrests compriz'd in the present Treaty.

XXVIII. It has been agreed and concluded, That neither the most Christian King, nor his Successors, shall suffer any of the Subjects of the King of *Great Britain* to be molested by the Inquisitors or otherwise, either in their Bodies or Goods, upon the account of the Religion at this time approv'd in *Great Britain*; but if any Person should in any manner whatsoever attempt to do this, the said Lord the King shall forbid by his Authority, and hinder it from being done, and shall put the matter in its former entire State; on condition nevertheless, that the Subjects of the said Lord the King of *Great Britain* behave themselves modestly.

XXIX. It has been agreed and concluded, That the said Merchants shall be at liberty to expose to sale, sell and exchange their Merchandizes with all Persons of what Nation and Country soever they be; to buy of them or exchange with them every Day, except Sundays and other Holydays, on which the Native *French* and other Inhabitants of the Country are forbid to make Traffick and Commerce.

XXX. To the end that the Merchants may with the more Safety go, come and negotiate for the common Good and Benefit of both Kingdoms, it has been agreed and concluded, That in case there should happen a War between the Kings of *France* and of *Great Britain* (which God forbid) three Months shall be granted to the Merchants, Subjects of one or the other Prince, after the Publication of the War in the Towns where they live; in which time they shall be allow'd to remove, sell and transport from thence with Safety all their Merchandizes and other Goods.

XXXI. And if any thing be taken from them by either of the Princes or any of their Subjects, the said Prince and his Successors shall be oblig'd to restore them, or cause them to be entirely restor'd.

XXXII. To obviate and prevent Depredations, and other Plunders and Piracies, it has been agreed and settled, That good and sufficient Caution or Bail shall be taken by the Admiral, Vice-Admiral, or their Deputies at the Ports of the one and the other Prince, from whence
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any Ships shall go out : that is, for the Ships of Merchants and other Subjects that shall henceforth be sent out with Warlike Equipage and Reprisals, doubly provided and victual'd ; but for others going out only a merchandizing, Surety by Oath shall be taken of the Masters and other Officers of Ships, that they will behave themselves well, and commit no Piracy upon the Merchants or other Subjects of the two Kings. But if it happen that the said Admiral, or Vice-Admiral, or their Deputy have no Bail, or at least insolvent ones, and that be their Fault, they shall be answerable for the Mischief that shall be done.

XXXIII. It has been agreed and concluded, That all the Goods that shall be taken by the Captains and other Servants of the one or the other Prince from Pirates, shall be brought respectively to a certain Port of the one or the other Kingdom, and there put under good and safe Custody of the Admiral, Vice-Admiral, or other Officers of the said Ports ; which Officers shall be bound to answer for the said Goods in their own Name.

XXXIV. It has been agreed and concluded, That all the Goods which shall be thus taken and recover'd from Pirates, whether they be in Gold or Silver Mony, or other Merchandizes appertaining to the Subjects of either of the said Lords the Kings, shall be render'd and restor'd to the true Owners and Proprietors of the same without any delay, after having first made legal Proof of the Property thereof.

XXXV. It is agreed and concluded, That as much Credit shall be given to the Evidences and Depositions legally made before the Judges of the Place where the said Merchandizes and other Goods thus pirated shall be lodg'd, sign'd with the Hand of a Notary, and seal'd with the authentick Seal of the said Judges, as if the said Proofs had been made by Commission from the Judge of the Place where those are call'd that are accus'd of the said Depredations and Piracies ; saving nevertheless to the accus'd all Exceptions and Defences that can be admitted in Law.

XXXVI. It has been agreed and concluded, That all and singular the Inhabitants of the one and the other Kingdom, and all the Lands and Dominions which are, or shall afterwards be possess'd by the one and the other
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of the said Kings, of whatever Dignity, State or Condition they be, may render and receive from one another all manner of good and mutual Offices of Friendship freely and safely on both sides, may traffick together by Sea, Land and Rivers, there abide and remain, or depart and return from thence when they shall think good, without any Hindrance, Offence, Arrest or Prohibition.

XXXVII. And particularly, That the Ships of Merchants and other Subjects of the King of *Great Britain*, or his Successors, who shall go to *Bordeaux*, or enter into the River of *Garone*, shall not be bound or constrain'd to leave and lay down at the Castle of *Blaye* their Guns, Artillery, and other Arms and Warlike Provisions; agreeably to what *Henry IV.* the most Christian King of *France* and *Navarre* of most happy Memory, granted them by his Letters Patent lately issu'd, and sign'd with his Great Seal, at the Instance of *George Carrenu* Ambassador, then Resident at the Court of the said Lord the King on the part of the said King of *Great Britain*. As in like manner also, the Merchants and Subjects of *Lewis* the most Christian King of *France* and *Navarre*, or his Successors, shall not be oblig'd or constrain'd to undergo the like Hindrances in any Port of *Great Britain* or *Ireland*: which shall be likewise observ'd in all the other Ports of *France*, out of regard to the Merchants and other Subjects of the King of *Great Britain*, or his Successors.

XXXVIII. Because in certain Ports of *France* and *England*, thro bad Custom not authoriz'd by any Law, the Officers of the said Places exact certain small Tributes for Entry and Departure, which they commonly call *Tribut de Chef*, and in *England* *Head-Money*, it has been agreed and concluded, That from henceforth no such Tribute shall be exacted in the Kingdoms and Countries of either of the said Princes; that so Entry and Departure may be free to all of what Quality or Condition soever, without any such or other Exaction of any Tribute whatsoever; that herein all Strangers may be treated as natural born Subjects of those Places.

XXXIX. That the Friendship between the said Princes and their Subjects may become more strait; and that it may be more manifest and apparent, by what Rules

and

and Conditions the Merchants on both sides, and the Subjects of the said Princes ought to manage and exercise their Trade and Commerce; it has been agreed, settled and concluded, That in all and thro all they shall follow the Force, Form and Effect of all the Articles of the Treaty made for Commerce, the 14th of February 1606. according to the Stile in *England*, and concluded at *Paris*: the which Treaty, together with all its Articles, we will have to be of the same Force and Effect as if they were inserted here.

XL. It has been agreed and concluded, That neither of the said Princes shall protect or harbour in any manner, nor suffer their Subjects to receive, protect or entertain any Rebels or Traitors to the said Princes, or Persons guilty of Treason against either of them; nor shall any Counsel, Aid, Favour or Assistance be given to the said Rebels or Traitors who shall retire into the Lands under the Obedience of the said Princes, or any one of them, in any manner whatsoever: but in twenty Days after the said Princes shall demand them by Letters or Ambassador, the other Prince who shall be thereto requir'd, shall be oblig'd to render and deliver all and every one of them *bona fide*, or cause them to be render'd and deliver'd up to the said Ambassador, or any other nam'd for that effect by the said Letters, and thereto deputed.

XLI. For as much as, by the Treaty of Commerce between the Subjects of the two Crowns, made at *Paris* the 14th of February, it was agreed that no Letters of Mark or Reprisal should be henceforth granted, but upon certain Conditions and Considerations express'd in the said Treaty; it has moreover been agreed, settled and concluded, That if, for certain Reasons, any Letters of Mark should be granted after this time, yet they shall not be put in execution upon any Merchandizes or Goods whatsoever, brought or carry'd into the Ports or Lands of either Prince.

XLII. Whereas it often happens that Strangers who go to Law, and are cast in Judgment whether Civil or Criminal, whether in appealing or defending, are accusom'd to come and complain, as if they had not obtain'd Justice in their Cause from the Judges of the other Prince; therefore to avoid such false Complaints and Calumnies, it has been agreed and settled, That the Ambassador residing

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siding at the Court of the other Prince respectively, or such other capable Person whom he is pleas'd to depute for that effect, may assist at any Judgment and Trials whatsoever which concern the Goods and Life of a Subject of his Prince, and especially when a Definitive Judgment is to be made and pass'd.

XLIII. Moreover, it has been agreed and concluded, That the present Treaty shall in all things be firmly and sincerely observ'd, so long as the mutual Union, good Friendship and Understanding that is betwixt the said Princes and their Successors shall last.

All and every one of which Articles above specify'd, agreed and settled by this Treaty, in virtue of the Commissions and Powers given to us, We deputed by the most Christian King have promis'd and do promise, That the King our Master, together with the most Serene the Queen Regent his Mother, by the Advice and Counsel of the Princes of the Blood, and other Officers of the Crown, shall oblige themselves to keep and observe, touching the Holy Gospels with their Hands as often as they shall be duly requir'd thereto by an Ambassador or Ambassadors, having sufficient Power for that effect.

Which Oath the said Lord the King shall repeat when he shall be of Age, being duly thereto requir'd, as is said; and that in the mean time he shall declare from this present, he shall be pleas'd with and approve, and confirm by his Authority all and every one of the said Articles contain'd in the present Treaty, by his Letters Patent, sign'd with his own Hand, and seal'd with his Great Seal; which shall be approv'd in all the Sovereign Courts of the Kingdom, if need be, without any Restriction, Exception or Modification: which Letters of Ratification, in good and valid Form, shall be given and deliver'd in two Months from the Day and Date of these Presents to the Ambassador of the most Serene King of *Great Britain*, then residing in *France*, or any other having Power and Orders to receive them. And in like manner, we the Deputies of the most Serene King of *Great Britain*, have promis'd and do promise, That all which by this Article the most Christian King is oblig'd to do and deliver, the same shall be done and deliver'd in the same time by the King our said Master, in the same form and manner that the most Christian King shall do and grant the same.

Given

Given at *London* the 29th day of *August*, 1610.
 sign'd, *De la Boderie*, *R. Salisbury*, *Northampton*, *Nottingham*, and *Wooton*, *Jul. Cesar*, *Tho. Pary*, with every one's Coat of Arms.

*The Contract of Marriage between Lewis
 XIII. King of France, and the most Se-
 rene Lady Anne of Austria, Infanta of
 Spain. Concluded at Madrid the 22d of
 August, 1612.*

IN the name of the Holy Trinity, Father, Son and Holy Ghost, three Persons in one only true God, for his Glory and Service, and for the Advancement of his Kingdoms : Be it known to all who shall see this present Writing and Instrument, containing the Contract and Treaty of Marriage which follows ; That whereas in the City of *Madrid*, his most Catholick Majesty's Court, in his Royal Palace, Wednesday the 20th of *August*, 1612. in presence of the Illustrious Don *Anthony Cayetan*, Archbishop of *Capua*, Legate a Latere to our Holy Father Pope *Paul V.* his Apostolical Nuncio in his Kingdoms, in the name of his said Holiness, and of the Lord Count *Orso Delzi*, Ambassador from the Great Duke of *Tuscany* for what is by him possess'd ; and in the presence of the Lords, the Dukes of *Infantado* and *Albuquerque*, the Marquis of *Castel-Rodrigo* and *Villa-franca*, all four Counsellors of State to his Catholick Majesty ; of the Duke of *Uzeda*, Admiral of *Castile*, Prince of *Tyngry* ; the Duke of *Maqueda*, the Duke of *Pegnaranda*, the Duke d' *Alva*, the Duke of *Cessa*, the Duke of *Feria*, the Duke of *Montalto*, the Duke of *Villa-Hermosa*, the Duke of *Veraguas* ; Don *Juan of Idiaca*, Great Commandant of *Leon*, of the Council of State of his said Majesty, and President of the Orders ; Don *Augustin of Mezia*, also of the Council of State ; and Don *Diego Lopez of Ayala*, Licentiate, also of the

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Council of State, and Great Chamberlain to his Majesty, and many other Lords and Knights: The most excellent Lord, Don *Francis de Sandoval*, of the Lineage of *Rozes*, Duke of *Lerma*, Marquis of *Denia*, Grand Commandant of *Castile*, of his Majesty's Council of State, his Butler, Master of Horse, Governor and Great Steward of the most High and Triumphant Prince of *Spain*, Captain-General of the Cavalry of *Spain*, appearing before me *Antonio d' Arestegny*, Knight of the Order of *St. James*, Secretary of State, Clerk and Notary to his Royal Catholick Majesty, in the name and as Procurator of the most High, most Excellent and most Potent Prince, Don *Philip* the Third of that name, our Lord and Master, by the Grace of God King of *Castile*, *Leon*, *Aragon*, both the *Sicilies*, *Jerusalem*, *Portugal*, *Navarre*, the *East* and *West-Indies*, and Duke of *Milan*, &c. by virtue of the Power which the said Duke of *Lerma* has receiv'd from his Catholick Majesty, by a Brevit and Provision sign'd with his Royal Hand, and counter-sign'd by me the foresaid Royal Secretary, made and pass'd at *St. Laurence* of the *Escorial*, the 30th of *July* the said year, as King, Father and lawful Administrator to the most Serene Infanta his Daughter, and of her Majesty *Q. Margaret*, his lawful Wife and Spouse, on the one part. And there appearing on the other part, the most Excellent *Henry* of *Lorain*, Duke of *Mayenne* and *Esquillon*, Peer and Great Chamberlain of *France*; and with him, in order to assist him, do appear, and are personally present, the *Sieur Viscount de Puisieux*, Counsellor of State to his most Christian Majesty, Secretary of his Orders and Finances, Great Treasurer of his Orders, and his Ambassador Extraordinary on the other part, for that very purpose, at the Court of his Catholick Majesty; and the Baron of *Vaucelas*, Counsellor of State to his said most Christian Majesty; for and in the name of the most High, most Excellent, and most Potent Prince *Lewis XIII.* by the Grace of God, the most Christian King of *France* and *Navarre*, and the most High, most Excellent and most Potent Lady *Mary*, the most Christian Queen of *France* and *Navarre*, his Mother, Tutor and Regent in his Kingdoms; by virtue of the Powers which they have exhibited and represented, written originally in *French*, sign'd with their
Royal

Royal Hands, and seal'd with their Royal Seals, given and granted in their Royal City of *Paris*; that is to say, that of the most Christian King, the 17th of *July* this present year, and that of the said most Christian Queen, the 19th of the said month and year. The Originals of which Powers of the abovesaid, are in the keeping of me present Secretary of State, to be inserted at the end of this present Writing. The said Duke of *Lerma*, in the name of his Catholick Majesty, and the said Lords, the Duke of *Mayenne*, Viscount of *Puiseux*, and Baron of *Vaucelas*, in the name of their Majesties, as most Christian and Catholick Kings, in which the Interest of their Kingdoms is concern'd, and in order to secure the Peace of their Crowns and of all *Christendom*, which has been observ'd ever since it was concluded and settled between the Catholick Majesty of the late King, Don *Philip II.* our Master, and his late most Christian Majesty *Henry IV.* Fathers to their most Christian and Catholick Majesties, reigning at this present; and desiring that it may be perpetual, not only during the Life of their Majesties, but also during that of their Descendants and Successors, they could not think of any more fit and proper method than that of Marriages, or any more efficacious means than accomplishing double and reinforc'd Ties of Relation. Thro the Grace of God, to the Increase of his Divine Service, and with the Benediction of our most Holy Father Pope *Paul V.* and the Mediation of the Great Duke of *Tuscany*, *The Espousals and Marriages of the most Serene Prince of Spain, Don Philip, with the most Serene Isabella, Sister and eldest Daughter to their most Christian Majesties; as also of the most Christian King Lewis XIII. with the most Serene Infanta, Lady Anne, eldest Daughter to his Catholick Majesty, are already treated and agreed:* that so by those new Ties they may be more strictly ally'd, and the Love, Amity and Brotherhood more confirm'd, that is, and is desir'd to be preserv'd betwixt their Majesties. And that they may have their full and entire Effect, the foresaid Lords Commissioners, in the abovesaid Names, in what concerns the Marriage of the most Christian King with the most Serene Infanta, Lady *Anne*, have capitulated and consented to what follows.

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That with the Grace and Benediction of God first of all obtain'd, and the Dispensation of his Holiness, because of the Proximity and Consanguinity between the most Christian King, and the most Serene Infanta, as soon as she shall be full twelve years of Age, they shall have their Nuptials and Marriage celebrated by words *in presenti*, according to the Form and Solemnities prescrib'd by the sacred Canons and Constitutions of the Catholick, Apostolical and *Roman* Church. And the said Nuptials or Marriage shall be perform'd in the Court, Palace and House of his Catholick Majesty, where his most Serene Infanta Lady *Anne* has her Residence, and that by virtue of the Power and Commission of the most Christian King; and so soon as this is done, the most Christian King shall ratify and accomplish it in Person, when the most Serene Infanta Lady *Anne* shall arrive in *France*, his Majesty joining himself with her Highness. And the said Solemnity of Espousals shall be perform'd either by special Commission, or in Person, when the time of accomplishing the same shall be concerted and settled betwixt their Majesties.

That his said Catholick Majesty promises and stands oblig'd to give, and shall give to the most Serene Infanta Lady *Anne*, in Portion, and on account of her Marriage with the most Christian King of *France*, and shall pay to his most Christian Majesty, or to one having Power and Commission from him, the Sum of Five Hundred Thousand Golden Crowns, to the value of sixteen Reals a-piece, and that in the City of *Paris*, one day before the Celebration of the said Marriage.

That their most Christian Majesties shall oblige themselves to secure, and shall actually secure the Portion or Dowry of the said most Serene Infanta Lady *Anne*, upon good and certain Rents, and upon valuable Funds and Assignments, to the Contentment and Satisfaction of his Catholick Majesty, or Persons whom he shall name for that effect; and in case of Dissolution of Marriage, the Portion shall be restor'd, and they shall return it to the most Serene Infanta, or to such as have the charge of her Highness: and during the time that shall elapse, in which her Portion is not restor'd, her Highness, or her Heirs and Successors, shall receive the Revenue, which shall be paid by virtue of the said Assignments.

†

That

That the most Serene Infanta Lady *Anne* shall hold her self content, and shall be satisfy'd with the said Portion, without alledging hereafter any other Right she may have, or commencing any Action or Demand, pretending that other valuable Goods, Rights and Actions appertain, or may appertain to her, because of Inheritances and larger Successions of their Catholick Majesties, her Father and Mother, or in consideration of their Great Persons, in any other manner, or for any other Cause or Title whatsoever, whether she knew it, or was ignorant of it; taking notice, that of whatever Quality and Condition the said Actions and Things above-mention'd be, yet she shall not fail to make a Renunciation of the same in good and due Form, and with all the Assurances, Forms and Solemnities that shall thereto be requisite and necessary: which Renunciation she shall make before she is marry'd, by words in *presenti*.

That immediately after the Celebration of the Marriage, she shall approve and ratify, conjointly with the most Christian King, with the same Forms and Solemnities that she shall have made the first Renunciation, *viz.* with the same Clauses that they shall see most convenient, proper and necessary for the Effect and Accomplishment thereof. For which Renunciation their said Majesties shall stand oblig'd for the future as well as at present. And in case they do not make the said Renunciation and Ratification, by virtue of the present Contract and Capitulation, yet the said Treaties of Renunciation and Ratification are accounted, as well now as for the future, duly made, pass'd and granted. And this shall be done in the most authentick and effectual Form possible, that so they may be good and valid, together with all the derogatory Clauses, of any Laws, Jurisdictions, Customs, Rights and Constitutions to the contrary, or which may hinder in whole or in part the foresaid Renunciation and Ratification; from which their Catholick and most Christian Majesties, for the above Effect and Validity, shall derogate, and do from this present entirely derogate. And for the Approbation and Ratification which they shall make of the present Contract and Stipulation, they shall and do intend and

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mean,

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mean, that all the above Exceptions are taken away and invalid.

That forasmuch as their Catholick and most Christian Majesties are come to make these Marriages, in order the more to secure and perpetuate, by this strong Knot and Tie, the publick Peace of *Christendom*, and between their Majesties the Love and Brotherhood which each of them wishes may be between them; and in consideration also of the just and lawful Causes, which the Equality and Convenience of Marriages shew and persuade; by the means of which, and thro the Grace of God, each of them may hope for most happy Successes, to the great Benefit and Increase of the Christian Faith and Religion, the common Good and Advantage of the Kingdoms, Subjects and Vassals of the two Crowns, and also what concerns the common Interest and the Preservation of the same: A Consideration of such Importance, that the Prevention of the Occasions and Opportunities of such Marriages were to be very much fear'd. Therefore considering the quality of the foresaid and other just Reasons, which might be mention'd and alledg'd, their Majesties agree and settle by Contract and conventional Compact between themselves, that it shall take place, and have the Force and Vigour of a Law for ever, stable and firm, in favour of their Kingdoms, and the whole publick Interest thereof.

That the most Serene Infanta of *Spain*, Lady *Ann*, and the Children of her Body, whether Male or Female, and their Descendants, first, second, third or fourth born, of what Degree soever they be, never can or shall come or succeed to the Kingdoms, States, Lands or Dominions that belong, or shall belong to his Catholick Majesty, and which are afterwards comprehended under the Titles and Qualities mention'd in this present Contract; nor to any of his greater Kingdoms, States, Dominions, Provinces, adjacent Isles, Fiefs, Castles; nor to the Frontiers at present in his Catholick Majesty's Possession, or which belong, or may belong to him, within and without the Kingdom of *Spain*, which their Catholick Majesties and their Predecessors formerly had, possess'd and own'd; nor to any of those which are comprehended in the same, or which depend upon the same; nor even to any of those, which at any time afterwards

afterwards he may acquire or add to his said Kingdoms, States and Dominions, or which he may recover, or which may fall or devolve to him by any other Titles, Right or Reason whatsoever, even altho it should be during the Life of the most Serene Infanta the Lady *Anne* ; or after her Death, during that of any one of her Descendants, first, second or third born, or in any other conceivable or possible manner ; or in the Case or Cases in which, either by Right, or by the Laws and Customs of the said Kingdoms, States and Dominions, or by Dispositions of Titles, they may succeed, or pretend to succeed to the said Kingdoms, States and Dominions. In all which foresaid Cases the said Lady *Anne* the Infanta, from this time, says and declares her self to be and remain well and duly excluded, together with all her Children and Descendants, Male and Female, altho they would or could say and pretend, that the said Reasons, as being of no validity with respect to the publick Cause, could neither be current, nor ought to be consider'd, nor any other upon which the said Exclusion might be founded ; or altho they should alledg (which God forbid) that the Succession of the Catholick King, or of his Infants or Infanta's, and, over and above, of the Males which he hath or might have for his lawful Successors, had fail'd ; because that in no case, in no time, and in no manner whatsoever, either she or they, her or their Heirs and Descendants, can succeed, or pretend to succeed, without prejudicing the said Laws, Customs, Ordinances and Dispositions, in virtue of which he has succeeded to all his Kingdoms, States and Lordships ; and without prejudicing also all the Laws of Places, and the Customs of the Crown of *France*, which do not hinder this foresaid Execution, in prejudice to the Successors to the said Crown, either at present, or in the Time and Cases that determine the said Successions. From all which Considerations together, and from every one of them in particular, their Majesties derogate, in so far as they contradict or hinder the Contents of this Contract, or the Accomplishment and Execution of the same ; and that by the Approbation and Ratification of this present Capitulation, they shall and do derogate therefrom, will and mean that the most Serene Infanta, and the Descendants of her Body, remain for the future for

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ever excluded from a possibility of succeeding, at any time, or in any case, to the States of the Country of *Flanders*, the County of *Burgundy* and *Carolois*, their Appurtenances and Dependences : Which Countries and States were given by his Catholick Majesty to the most Serene Infanta Lady *Isabella*, and are to return to his Majesty and his Successors.

In like manner also they most expressly declare, that in case the most Serene Infanta should be left a Widow (which God forbid) without Children of this Marriage, she shall remain free from the foresaid Exclusion, and in so far declar'd a Person capable of her Rights, and of the Power of succeeding to every thing that may to her appertain, or devolve to her, in two Cases only, *viz.* If she remain a Widow of this Marriage, without Children, and come to *Spain* ; the other, If by Reasons of State, for the publick Good, and for just Considerations, she shall marry again, with the Consent of the Catholick King her Father, or of the Prince of *Spain* her Brother : in which two Cases she shall be able and capable to succeed and inherit.

That so soon as the most Serene Infanta Lady ~~Ann~~ shall have fulfill'd the Age of twelve Years, and before celebrating the Marriage by words *in presenti*, she shall give, promise and grant her Writing, by which she shall oblige her self, as well for her self as for her Successors, to the Accomplishment and Observation of what is above specify'd, and of her own Exclusion, and that of her Descendants ; approving the whole accordingly, as it is contain'd in the present Treaty and Stipulation, with the necessary and requisite Oaths. And in swearing to this present Stipulation, and the aforesaid Obligation and Ratification, which her Highness shall have made and given, she shall make a like one with the most Christian King, so soon as she shall be marry'd and espous'd, which shall be register'd in the Parliament of *Paris*, according to its Form and Tenour ; as also from this present his Catholick Majesty shall approve and ratify the said Renunciation and Ratification in the usual Form, and likewise cause it to be register'd in his Council of State. And whether the said Renunciations, Ratifications and Approbations be made or no, from this present time, in virtue of this Stipulation and present Contract,

Contract, and in consideration of all the foresaid things, yet they shall be held and deem'd as well made, and duly granted and pass'd.

That their most Christian Majesties shall give to the most Serene Infanta Lady *Anne*, for her Rings and Jewels, to the value of fifty Thousand Golden Crowns; the which, and all others that she shall bring with her, shall appertain to her, without any Scruple or Difficulty, as being the Goods of her Patrimony, which shall belong to her Highness, and to her Heirs and Successors, or to those who shall have her Right and Cause.

That their most Christian Majesties shall, according to the antient and laudable Custom of the Royal Family of *France*, assign and make over to the most Serene Infanta Lady *Anne*, for her Portion and Dowry, Twenty Thousand Crowns of the Sun yearly, which shall be assign'd upon just Revenues and Lands; the principal Place whereof shall have the Title of a Dutchy, or any other more proper, and which may go to the making up the Sum of 20000 Crowns a year: which Places and Lands thus made over and assign'd, the said most Serene Infanta shall freely dispose of with her own hands, or by her own Authority, or those of her Commissioners and Officers, as has been said. And moreover, the filling up of all vacant Offices shall belong to her, as has been usual for the Queens of *France*; provided nevertheless, that the said Offices be not given but to native *Frenchmen*: Of the which foresaid Assignment the said most Serene Infanta Lady *Anne* shall enter into possession and disposal, so soon as she shall become a Widow, to be enjoy'd by her all her Life, whether she remain in *France*, or go elsewhere out of *France*.

That his most Christian Majesty shall give and assign to the most Serene Infanta Lady *Anne*, for the Expence of her Apartment, and the Maintenance of her State and Family, a proper Sum, and such as is fit for the Daughter and Wife of so Great and Potent Kings; assigning it to her in the Form and Manner accustom'd in *France*, to give an Assignment for such Charges and Expences.

That the most Serene Infanta coming to the Age of full twelve years, they shall be espous'd and marry'd by Proxies sent by the most Christian King, and the most Serene

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Serene Infanta, by words *in presenti*. Which being done, his Catholick Majesty shall have her brought, at his own Charge and Expence, to the Frontiers of the Kingdom of *France*, with the Authority and Equipage fit for the Daughter and Wife of such great and potent Kings; and she shall be receiv'd and welcom'd with the same Grandeur and Magnificence by the most Christian King.

That in case the Marriage between his most Christian Majesty and the most Serene Infanta Lady *Anne* be dissolv'd and broken, and her Highness survive his most Christian Majesty; in that case she may freely and without any Lett or Impediment return to the Kingdom of *Spain*, or to any other more convenient Place that she shall chuse out of *France*; and as often as she pleases to depart, she may do it with all her foresaid Goods, Portion and Dowry, Rings and Jewels, Clothes and Habits, Utensils and Plate, and all other Movables whatsoever, and with her Officers and Servants, so that no Person whatsoever shall give her any Hindrance for any Cause that may or shall have happen'd, nor stop her Departure directly or indirectly, or hinder her from enjoying, disposing and recovering her said Portion and Dowry, or the Assignments given her, or that ought to be given her. And for that Effect his most Christian Majesty shall give to his Catholick Majesty, and to the most Serene Infanta Lady *Anne* his Daughter, such Letters and Brevis of Security as shall be necessary, sign'd with his own hand, and that of the most Christian Queen his Mother, Tutrix and Regent of the Kingdom, and seal'd with his Seal; and for the future as well as now, their most Christian Majesties shall secure and promise the same to them, for them and their Successors being Kings, on the Faith and Word of a King.

That since the Treaty and Proposal of this Marriage has been desir'd, and afterwards concerted and promoted by our Holy Father, and by his Mediation perfected and brought to the State it is in at present, it will be proper to supplicate his said Holiness, even as from this present their Majesties supplicate and intreat him, to be pleas'd to give his Benediction thereupon, and the Intervention of his Apostolical Authority, and to approve and insert this present Contract and Stipulation in his
Bulls,

Bulls, together with the Approbations thereof made by their Majesties and her Highness, together also with the Writings and Oaths that are given and granted: In short, every thing that has been done and pass'd for the Accomplishment and Security of the same.

That their Catholick and most Christian Majesties shall approve and ratify this present Capitulation, and promise on the Faith and Word of a King to keep and fulfil it inviolably; and to this effect deliver their Brevits in the usual Form, with the Derogatories, and any Laws, Rights and Customs whatsoever, which are or shall be contrary thereto, and are reasonable: Which said Brevits of Ratification of this present Writing, they shall give and deliver to one another respectively within two months, reckoning from the day of the date of these Presents, and that by the means of Ambassadors in Ordinary residing at the Courts of their said Catholick and most Christian Majesties.

To all which abovesaid the said Lords Commissioners, in the said Names, have promis'd, consented and agreed, according to what is contain'd in the present Capitulation; having thereto oblig'd their Catholick and most Christian Majesties, as also her Highness with the Obligation and Bond of their Faith, and on the word of a King, that they will effect and keep the same, and command it to be entirely kept and accomplish'd, without failing or coming short in any thing whatsoever either in whole or in part, or contravening the same; and consent not to act contrary thereto directly or indirectly, in any manner whatsoever. For thus have the said Commissioners promis'd by virtue of the Powers they have from their said Majesties, at the giving of which were present the Persons nam'd at the beginning of this Capitulation; and the said Lords promising and granting what is above-mention'd, have sign'd the same with their Hands and Names, and require me to give them a Copy of this whole Contract, and all the translated Copies of the same that shall be necessary. Thus sign'd on both sides, The Duke of *Lerma*, the Marquis of *Denia*, *Henry of Lorain*, *Brulard*, *Andr. de Coisefilles*. Done and pass'd before me the above Secretary and Publick Notary, the Year and Day aforesaid. Thus sign'd, *Anthony Arsigny*.

*A Treaty between the English and Dutch
East-India Companies, relating to the
Differences that had arose between them.
At London, the 2d of June; 1619.*

THE States General of the *Low Countries*; To all who shall see these Presents, or hear them read, Greeting. Whereas on the 2d of *June* this present year, 1619. a Treaty has been made and agreed at *London*, between the Lords Commissioners of the Privy Council of the most High, most Excellent and most Potent Prince *James*, by the Grace of God, King of *Great Britain, France and Ireland*, &c. and the *English* Company trading to the *East-Indies*, on the one side, and us the Commissioners of the Body of our Assembly, and the Company of our Provinces, on the other side; the Tenor whereof follows.

And whereas certain Differences and Misunderstandings have arose for some years between the Subjects of the most High, most Excellent, and most Potent Prince *James*, by the Grace of God King of *Great Britain, France and Ireland*, who are of the Company of Merchants trading to the *East-Indies*, and those of the Company of the *United Provinces* of the *Low Countries*, Subjects of the High and Potent Lords the States General; for the accommodating of which Differences, divers Conferences have been held between the Deputies of the said Companies, as well at *London* in the year 1613. as at the *Hague* in the year 1615. yet without any Agreement following thereupon: His said Majesty and the said Lords the States desiring to maintain and strengthen more and more the Concord, Amity and good Correspondence between their Subjects and States, and carefully to remedy all the Inconveniences that this Difference might occasion, have found it expedient and necessary again to resume the said Affair, in a third Conference between the Deputies of the said Companies; at which his said Majesty,

Majesty, and the said Lords have thought good to cause qualify'd Persons of their Council and Body to assist, viz. his Majesty, *John Digby* Knight, Baron of *Sherborne*, his Majesty's Vice-Chamberlain, and Treasurer of his said Majesty's Household; *Henry Carey* Knight, Comptroller of his Household; *Foulke Grevil* Knight, Chancellor of the Exchequer; *Julius Cesar* Knight, Master of the Rolls; and *Edward Cooke* Knight, all Counsellors of State to his said Majesty. And the said Lords the States, *John van Goch*, Burgomaster of the Town of *Zutphen*; *Ewom vander Dussen*, old Burgomaster of the Town of *Delft*; *Joachim Lijens*, Counsellor and Pensionary of the Town and Country of *Tollen*, all of the Body of the said Lords the States, and *Noel van Caron*, Knight, Lord of *Schonvalle*, Ambassador in Ordinary from the said Lords at the Court of his said Majesty; whom his said Majesty, and the said Lords have, for that effect, authoriz'd with Powers and Commissions, that so thro their common Mediation and Direction, the Conclusion of an Affair of so great Importance may be facilitated, and succeed to the mutual Contentment and Satisfaction of both Parties. According to which Order, and in the Presence of the said Lords the Deputies of the two Companies aforesaid, they have enter'd into Conference, viz. for that of *England*, *Sir Thomas Smith*, Governor of the said *East-India* Company; *Lionel Cransfield*, Knight, Governor and Master of the noble Court of Guards, and of his Majesty's Wardrobe; *Dudley Digby*, Knight; *Richard Weston*, Knight; *Henry Martin*, Knight, Judg Admiral; *Clement Edmunds*, Knight, Clerk of his Majesty's Council; *William Holliday*, Recorder of the City of *London*; *Levinus Monk*, Clerk of his Majesty's Signet; *Maurice Abbot*, Deputy-Governor of the *English* Company; and *William Harrison*, Treasurer of the said Company. And for the Company of the *United Provinces*, *Thierry Bas*, Knight, Burgomaster of the City of *Amsterdam*; *James Boreel*, Burgomaster of the City of *Middleburg*; *Arnold Bacob Lodensteyn*, of the Admiralty Council of *Zeeland*; *Albert Sonck*, old Burgomaster of the Town of *Hoorne*, and one of the Council of State, and *Andries Richardson*, Administrators of the said General *India* Company; and Mr. *William Boreel*, Doctor of Laws, Advocate to the

the said Company : who by virtue of Letters or Procurations, after many Conferences and long Debates, have finally, by the Intervention, Counsel and Direction of the said Lords above-mention'd, concluded and settled the following Articles.

I. In the first place, it hath been agreed, That for the future all Irregularities, Offences and Misunderstandings shall be forgotten and bury'd, which may formerly have been in the Parts of the *East-Indies*, betwixt the Subjects of his said Majesty of *Great Britain*, and those of the said Lords the States General of the *United Provinces* ; and for that effect all Persons seiz'd and detain'd on both sides shall be set at liberty and freely releas'd, as also all the Ships and Goods which shall be found to have been taken to the time of the Publication of this Treaty in the said *Indies*, shall be reciprocally restor'd.

II. The Officers, Commissaries and Servants on both sides shall mutually render and bear to one another in their Conversation, and wherever they shall meet, all Assistance, Friendship and reciprocal Correspondence, all Offices and Duties necessary among Friends and Neighbours so strictly ally'd ; and in case that on either side any should find themselves reduc'd to any Extremity on Sea, the others shall lend them all the friendly Succour and Assistance in their Power ; and they shall also keep, or readily and faithfully carry the Letters and Accounts of one another.

III. Commerce and Traffick in the *East-Indies* shall be free as well for the *English* Company, as for that of the *United Provinces*, so that each of the said Companies may there employ, on their own separate and particular account, what Funds and capital Stock they please.

IV. And in order with the common aid to procure the Benefit and Encouragement of Commerce, all possible means shall be us'd, in order to regulate and lessen the extraordinary and excessive Duties and Impositions that were lately laid on ; and the Practice of liberal Gifts and Presents shall also cease.

V. There shall be Endeavours us'd to reduce, by common Advice, all Merchandizes in the *East-Indies* to a reasonable Price ; and in the Sale which shall be made in these Kingdoms and *United Provinces*, of such Merchandizes as shall be bought in the said *Indies* at the same

common

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common Rate, a certain Price shall be agreed upon from time to time, under which it shall not be lawful for either of them to sell them.

VI. And in order to prevent all Jealousies and Differences which might arise for the future, the Commissaries on both sides shall advise and agree among themselves upon a moderate Price, according as they reckon they may agree, about the buying of Peppers at *Bantam*, and other Places in *Java Major* (the Liberty of Commerce remaining to the other Parts of the *Indies*, as also to the said *Java Major*, with regard to other Merchandizes, according to the third Article) and for that end certain expert Persons shall be ordain'd and commission'd to buy them; and the Purchase of them in this manner being over, they shall be equally divided, half to the one, and half to the other Party.

VII. The *English* Company shall have the free Exercise and Enjoyment of the Traffick of *Palicate*, and shall bear the half of the Expence for maintaining and upholding the Fort and Garison that is to be begun at the time of the Publication of this Treaty. in those Parts.

VIII. The Commerce to the *Molucca* Islands, *Banda* and *Ambonya*, shall by common Advice be so regulated, that the *English* Company shall have one third of all the Trade there, as well for the bringing and vending Merchandizes in the said Islands, as for the Fruits and Merchandizes which grow there, and are transported from thence; and those of the *United Provinces* shall have the other two Thirds.

IX. And with regard to the buying and dividing the said Fruits and Merchandizes, the principal Commissaries and Factors of the two Nations residing there shall buy them at the current Price, and shall respectively advise about the contingent Portion falling to the one and the other by Lot; and for that end they shall have free Access and Abode in the Forts and Magazines of both sides.

X. And forasmuch as so distant a Commerce and Traffick, and also so important, cannot be secur'd without a vigorous Defence, this shall be done by furnishing and maintaining twenty Ships of War, half belonging to the one, and half to the other Company; which Number (if it be found expedient) shall afterwards be increas'd

creas'd or diminish'd, by common Advice, according to the exigency of Occasions and Occurrences: and every one of the said Ships shall carry from six to eight hundred Tuns, be man'd with one hundred and fifty Men each, arm'd with thirty Great Guns, and other necessary Ammunition; the said Guns to be from eight to eighteen Pounders.

XI. And the Council of Defence shall advise what number of Gallies, Frigates and other small Vessels, shall over and above be necessary for the said Defence.

XII. The Fortresses and Garisons which are in the *Molucca* Islands, *Banda* and *Amboyna*, shall be maintain'd by the Duties and Imposts that shall be rais'd upon all the Fruits and Merchandizes that shall be transported from the said Islands; which Duties and Imposts shall be tax'd according to the Ordinance of the common Council of Defence, and receiv'd by the Commissaries of both sides, and deliver'd from time to time, as far as shall be necessary, to the Treasurers of the Companies, in order to pay the Soldiers therewith.

XIII. In order the better to settle and manage this Defence, there shall be a Council of Defence erected, compos'd of eight Persons of the first and principal Officers there, who shall be taken and elected, in an equal number, as well from the one as the other Company, and shall preside over all.

XIV. This Council shall order what shall concern the matter of common Defence by Sea, and distribute the Men of War in such Places, as they shall see necessary.

XV. They shall also regulate the Duties and Imposts that shall be necessary for maintaining the said Forts and Garisons, and shall have authority to cause the Receivers of the said Imposts to render an account of them.

XVI. The Men of War shall always remain in the Places that shall be assign'd them, and follow the Orders of the said Council of Defence, without being employ'd to transport Merchandizes into these Kingdoms and Provinces.

XVII. Nevertheless the said Ships may, while they are in the *Indies*, be sometimes employ'd to carry Merchandizes from one place to another, for the Service of their Companies respectively, if the said Council think

think good, and if it be not prejudicial to the said Defence.

XVIII. And in case of necessity, the said Council shall be allow'd to employ Merchant-Snips also in such number, and for such time, as they shall think necessary for the said Defence.

XIX. The Loss and Damage that shall happen thro any Rencounter, occasion'd by the common Defence, or in going to or returning from the said Defence, shall be equally born and repair'd at the common Cost; as also the Gain and Prizes that shall be taken, shall come to the common Profit.

XX. The same shall be observ'd with regard to the Merchant-Ships imploy'd on the same occasion; and during that Employ, the Victuals and Pay of the Seamen shall be at the common Expence of the two Companies. And on consideration of the Diversion they shall have made and Loss suffer'd thereby in their Commerce, they shall over and above receive such Recompence and Reward, as shall be judg'd proper by the said Council of Defence.

XXI. But if any Man of War being in the Road within her own Bounds, or in going in or returning from thence, happens to receive any Loss or Damage by Storm, or any other Misfortune, the said Loss shall not be common, but shall entirely fall to the share of the Company to which the said Ship belong'd.

XXII. And to prevent the Disputes that might arise about the Value of Ships lost, or greatly damag'd, the Council of State shall make an Estimate of all the Men of War and others, before they employ them for the common Defence.

XXIII. The Fortresses on both sides shall remain in the hands of those who possess them at present.

XXIV. And soasmuch as there has been a small Dispute about the building of some new Fortresses, which the *English* Company has judg'd necessary to them for the Security of their People and Goods, it has been agreed, That the said Question shall remain in suspense for the Term of two or three years; that so having duly deliberated and advis'd together how many Fortresses, and in what Places they shall be found necessary, the said Question may be resum'd, and so accommo-

dated, as that it may succeed to the common and reciprocal Contentment and Satisfaction of both Parties.

XXV. As to the Forts that may be gain'd in the *Molucca* Islands, or in any other Parts of the *Indies*, by the Industry and common Forces of both Companies, they shall be equally possess'd, and conjointly kept and maintain'd with Garisons out of both Companies, who shall be there in equal number; or at least they shall be equally divided between the two Companies, according to the Advice of the Council of Defence there.

XXVI. There shall be a free Trade endeavour'd to be conjointly open'd and settled in *China*, and other Parts of the *Indies*, by such Ways and Means as the Common Council shall find expedient.

XXVII. Neither of the two Companies shall prevent or exclude the other for the future, either by Fortifications or Contracts they may be willing to make afterwards, from any part of the *Indies*; but the whole Trade shall be free and common to both Companies in every place of the same.

XXVIII. It is also agreed, That without the Consent of both Companies, no other that belongs not to the same shall be admitted to partake of the Benefit of the present Treaty: And in case any of the Subjects of his said Majesty, or of the said Lords the States, not being of the said Body, should endeavour or attempt any thing to the prejudice of what is above specify'd, or of the Privileges of either of the said Companies, those of the said Companies shall endeavour jointly and separately to hinder them from doing thereof, and respectively to maintain the Privileges of the said Companies. And his said Majesty of *Great Britain*, and the said Lords the States, shall be pray'd not to authorise the erecting of any other Society, to meddle with the Trade, and in the Navigation of the said *Indies*, during the Term of this Treaty.

XXIX. If it happens in any Parts of the *Indies*, in which either Company holds or shall hold a Factory, Trade or Business, whether by the Death of the Factors, or by any other Disaster, that the Goods or Chattels of the one or the other remain without an Administrator in the Company to which they belong; the Officers
and

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and Factors of the other Company surviving, and remaining in the said Places, shall, in this case, take the said Goods and Chattels into their Custody, and shall *bona fide* preserve them to the Proprietors, to whom they shall render them in Time and Place.

XXX. This Treaty shall be for the space of twenty years; and if, during that time, there happen any Disputes that cannot be terminated by the said Council in those Parts, nor in these Parts by the two Companies, the Difference shall be refer'd to the King of *Great Britain*, and the said Lords the States General, who will vouchsafe to take the Pains to accommodate it, to the Content and Satisfaction of both Companies.

XXXI. All which Articles shall be faithfully and inviolably maintain'd and observ'd on both sides, according to the Intention of the said Treaty. And the said Gentlemen above-mention'd promise, That as well his Majesty of *Great Britain*, and the said Lords the States, as those of the said Companies shall approve, confirm and ratify them; and thereupon deliver their Letters of Ratification in good and due Form, *viz.* his Majesty and those of the *English* Company within the Term of one month after the date of this Treaty; and the said Lords the States, and those of the Company of the *Low Countries*, within the same Term after the said Date.

We being well satisfy'd with what has been concluded, have ratify'd, approv'd and confirm'd, and do ratify, approve and confirm this Treaty, by these Presents; and promise to fulfil, and cause to fulfil and observe it in all and every one the Points that concern us, or the Company of our Provinces, without suffering any Contravention thereto, directly or indirectly, in any sort or manner whatsoever: And that during the time of this Treaty, we shall erect no other Company than one only Company that may trade to the *East-Indies*. In Testimony whereof we have caus'd these Presents to be seal'd with our Great Seal, sign'd by our Clerk at the *Hague* the 22d of *July*, 1619. sign'd, *C. Magnus*. And on the Fold, by the Order of the said Lords the States General, sign'd, *Aerssen*, and seal'd with the Great Seal on red Wax, hanging at a double Tail of white Silk.

The Ratification of the King of Great Britain.

JAMES, by the Grace of God, King of *Great Britain, France and Ireland*, Defender of the Faith, &c. To all who shall see or hear these Presents read, Greeting. Whereas on the 7th Day of *July*, in the year 1619. a Treaty was made and concluded in our City of *London*, between certain Commissioners of our Privy Council thereto specially deputed by us, and others of the Company and Society of our Merchants of *England* trading to the *East-Indies*, on the one side; and the Commissioners of the High and Potent Lords, the States General of the *United Provinces of the Low-Countries*, our good Friends and Allies, being of the Body of the said Lords the States, and other Deputies of the Company of the said Provinces trading to the said *East-Indies*, on the other side: of which Treaty the Tenor follows.

Even so let it be as above.

We having seen, had, and fully understood this Treaty, have approv'd, confirm'd, and ratify'd the whole, and do approve, confirm, and ratify it by these Presents; promising to fulfil it, and cause to fulfil and observe it, and all and every one the Points thereof which concern us, or the Company of our Merchants of *England*, without doing, or suffering to be done any Contravention thereto, directly or indirectly, in any sort or manner whatsoever; and even to acquiesce in the Contents of the twenty eighth Article; promising, that during the Term of this Treaty, we shall not erect any other Society but that which is already erected, to meddle with the Trade, and in the Navigation of the said *East-Indies*. In Testimony whereof, we have sign'd these Presents, and caus'd them to be seal'd with our Great Seal; given at *Westminster*, the 16th Day of *July* 1619. and of our Reign the Seventeenth. Sign'd *James Rex*, and lower *Fr. Carey*; and seal'd with his Majesty's Great Seal in yellow Wax, hanging at a double Tail of white and red Silk.

An

An Order and Regulation, by the East-India Companies of England and the United Provinces, with relation to the Execution of certain Articles in the present Treaty.

THE Limits within which this Contract shall be compriz'd, have been establish'd by the common Advice of the Deputies of both Companies. The Meridian touching the Cape of *Good Hope*, going directly to the South, and the Eastern Meridian, which is found to be four Hundred Leagues on the East Coast from the Illands of *Solomon*, going on one side directly towards the South, and on the other towards the North, all the way to the Tropick of *Cancer*, and from thence in an oblique Line to the *Straits of Coiyan*; all the Seas, Gulphs, Straits, Roads, Bays, Rivers, and whatsoever shall be found betwixt those two Meridians, shall be comprehended in this Contract. The Merchandizes and Ships taken on both sides shall be restor'd, *viz.* the Vessels such and in such a Condition as they shall be found in the Hands of any one of the Company, and the Goods or the Value of them, that shall have effectually come to the foresaid Company.

But as to the Ships that shall not be in the Hands of the Company, *viz.* such as shall have run a-ground, have perish'd, or been abandon'd, as also the Shipwreck, or what shall have been us'd thereof, whether it shall have been made use of or not, it shall not be liable to Restitution, excepting the Ships that shall have been left in Service of the Company, the Value whereof shall be restor'd. The Prisoners on both sides shall be freely releas'd and set at liberty, without paying their Ransom, or for their Victuals or Clothes given them by the Company. If the said Prisoners shall have serv'd the Company that shall have detain'd them, 'tis just they should be pay'd for their Service by the said Company. In the Enlargement of Prisoners, the Slaves of any one of the Company are also compriz'd, who have sav'd themselves by going over to the other Company, or who have been detain'd by them under any pretext whatsoever; the

which shall also be restor'd to the Company to which they belong'd.

Upon the IVth Article.

The Liberality of Gifts and Presents that might be employ'd by one of the Companies to the prejudice of the other, shall for the future cease at *Bantam*, and other Places where we have a Community of Commerce, or even a Trade without a Community. But if it be necessary that any thing should be done for the common Advantage and Benefit, that shall be done by common Consent, in the Name, and at the Expence of both Companies.

Upon the Vth Article.

The Fruits of the *Molucca's*, and of *Amboyna*, that shall be carry'd into *Europe*, shall be sold at the same Price and Time order'd and settled every Year by both Companies, in the Month of *March* or *April*, or in such other time as shall be judg'd proper and convenient. It has been thought proper, in order the better to maintain the necessary Correspondence and Communication for the Agreement of the two Companies, That each of them shall respectively hold in *England*, and the *United Provinces*, one or two Persons in the Quality of Residents, who shall give and receive Advice and Information about the Affairs which concern the Maintenance of the present Treaty, and may in the Name of their Company be present at the Deliberations and Resolutions that shall be taken in the Assemblies of the respective Companies, so far as that may concern the common Good of the Union.

Upon the VIth Article.

The Charges for maintaining the Fortress and Garison of *Palicate* shall be return'd and pay'd in Money, or in other Commodities, Merchandizes or Provisions, as the Company of the *Low-Countries* is accusom'd to do, half and half by the two Companies, and not by Duties upon Merchandizes: And the foresaid Payment shall begin at the time of the Publication of this Treaty at the said Place of *Palicate*. Wherefore the Commissioners of the *English* Company shall have notice thereof given them by those of the *United Provinces* at *Bantam*, that so they may send both together the News of this Contract to the said *Palicate*.

Upon

Upon the VIIIth Article.

In order to regulate the Trade of the *Moluccas*, *Amboyna* and *Banda*, there shall be erected and ordain'd certain Offices in the Places proper for Commerce, at which the Commissioners of both Companies shall reside; who alone may sell or buy all such Merchandizes and Fruits as may be sold and bought in the said Islands: so that no other Person, whether belonging to the two Companies, or to any other Nation, may buy or sell such Merchandizes and Fruits in any manner.

The foresaid Offices shall be provided by each Company, according to their proportion, with such Merchandizes and current Mony, as the Nature of the Trade and Business in the foresaid Islands shall require: so that upon this occasion neither of the Companies shall be oblig'd to furnish for the other. The Commissioners of the *English* Company shall live with the Commissioners of the Company of the *Low-Countries*, if Convenience will allow; otherwise they may build them Houses, there to dwell and live in: As also it shall be lawful for them to refit their Ships, and for that effect make use of the Wood and other Things of those Quarters and Parts. And the same shall likewise be done on the other side in the Parts where the *English* shall possess the said Commodities, which the Commissioners of the *United Provinces* may make use of in like manner.

Upon the Xth Article.

Both Companies have declar'd that they are ready to give notice, each of them on their part, of the foresaid Ships design'd for the common Defence, out of the Number of those which are at present in the *Indies*; and in case they be not of the requisite Size and Quality according to the Contract, they promise to send Ships thither the first Opportunity that shall be fit, agreeably to the Spirit and Mind of the Agreement for the said Defence, in lieu of others not so fit.

The Ships appointed by both Companies, shall, upon the Orders of the Council of Defence and of each Company, come to the Place of Residence of the said Council, whether at *Bantam*, *Jacatra*, or any other Place, or at least that they be in some part where it shall be judg'd they may do service for the common Defence, and for the Benefit of both Companies; in which case they

shall be tax'd and rated, either by Commissioners there-
to authoriz'd, or by good Information.

With regard to the Proposition made, to know in
what Place the Ships of Defence shall be first employ'd;
it is judg'd proper, That notwithstanding the Profit that
might arise to both Companies by sending the Fleet upon
the Coasts of *Malabar* and thereabout, nevertheless
the Defence shall be employ'd to gain the Commerce of
China: And for that end a Fleet shall be sent to the *Phi-
lippine* Isles, to hinder the *Chinese* from trading with any
others than with us; and a Place of meeting shall be
chosen that is proper for Commerce, either at *Lequis*,
Pecquin, *Poulo*, *Condor*, or any other Place, which, by
the common Council of Defence, shall be judg'd most
convenient for that Commerce.

It shall be instantly recommended to the Council of
Defence, that they employ in their Service Forces suffi-
cient to obtain good Success in their Enterprizes; espe-
cially at present, in the beginning of the Union of the
two Companies; that so not only the Honour and Re-
putation thereof may be preserv'd, but also their Loss
and Damage prevented.

Upon the XIIIth Article.

In the Council of Defence shall preside the two Na-
tions by turns, changing from Month to Month; and
those of *England* shall preside first after the said Council
shall have been settled; and those of the *United Provin-
ces* the second Month, and thus turn by turn from one
month to another.

And because it is necessary there should be only one
Command concerning the General Armament of the
Defence, it is judg'd proper, That the Nation whose
Turn it is to preside, shall likewise have the supreme
Command of all the Ships of War of both Nations the
same month, and shall hang out the Great Flag on the
Main-mast, and then the other Nation shall hang out
hers on the Mizzen-mast: which shall be observ'd by all the
other Ships of War, as well the Ships that shall be near
the Places of Residence of the Council of Defence, as
in the other Places of those who shall be in their Quar-
ters.

But as to what regards particular Expeditions, to the
Execution of which a Fleet, or any other Number of
Ships

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Ships shall be appointed under one Head; it is resolv'd, That the Command once given to one of the Nations, shall last till the said Fleet shall have return'd from the said Expedition, without having regard to the Change of the President in the Council or otherwise. And the Great Flag shall always be carry'd by the Nation that has once receiv'd and had the Command, till the end of the Expedition, and the Return of the Ships.

All the Expeditions and particular Enterprizes that shall be made by the Assistance of any Fleet or Number of Ships of War, shall be divided by Turns. And as to what concerns the Command, and the carrying of the Great Flag, the first Exploit shall be committed to *England*, the Second to the *United Provinces*, the Third to *England*, and so to each Nation in its Turn.

The Council of Defence shall order the Commanders of the Fleet or Armament, who shall be sent upon any Expedition, that they do nothing of Importance for the Execution of the said Expedition without the Advice and Consent of the Council of the Navy of the said Fleet or Armament, which shall be given to the said Commander (who herein shall have a double Voice) by the Council of Defence: And it shall be in the power of the said Council of Defence to revoke and change the said Commander of the Fleet appointed for any Expedition even before the said Expedition, if great Necessity, and a considerable Advantage of the Company require it. And the Council of Defence shall in that case do what is proper.

It is refer'd to the Council of Defence to chuse a Place for their Residence, either at *Bantam* or at *Jacatra*, according as the Conveniency and Reputation of the Company shall require.

Upon the XXVIIIth Article.

For the Explanation of these Words of the Article, *not being of the Body of the said Companies*, it is judg'd proper to determine, That the Contents thereof shall also take place in the Equipages and Commerce, which any one shall desire, who are indeed of the Body of the Company, but which only regards their own Body, who shall not be allow'd to enjoy the Privileges and Advantages of this Treaty more than any other Strangers, be they who they will.

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Those of the *English* Company have promis'd to procure of his Majesty, That all his said Majesty's Subjects shall be forbid to list themselves in the Service of any other Nation going to the *Indies*, excepting only the Company of the *Low-Countries*: And that the Company of *England* may have the like, the said Members of the Company of the *Low-Countries* have promis'd to obtain of the Lords the States General of the *United Provinces*, That the Placard shall be moderated which orders, that their Subjects who frequent the Seas, may not list themselves in the Service of any foreign Nation; and that this Placard shall not affect the *English* Company, but that the Subjects of *England* and *Holland* shall list themselves in the Service of both Companies reciprocally, without any danger of having done amiss.

Upon the XXXth Article.

Each Company shall most exprelly ordain those, who shall be commission'd on their part for the Preservation of the Treaty, to conform themselves to the express Contents of the same with all their Power and Inclination. And in case there arise any Dispute or Doubt about the Interpretation of any Article, or any other matter in their common Business, they shall be enjoin'd not to proceed against one another by way of Force or Hostility in any manner whatsoever; but after Information thereof shall be made, they shall give Advice of it to their respective Companies in *Europe*, who shall endeavour to accommodate the Differences either by themselves, or by the Intervention of his Majesty of *Great Britain*, and of the High and Potent Lords the States, as need shall require; and all such as shall act to the contrary shall be cited and punish'd as Disturbers of the publick Quiet. Thus given at *London* the 15th of July 1619. Q. S. and sign'd *Tho. Smith, Morris Abbot, Humphrey Handfort, Arant. Lodensteyn, Will. Hollidaye, Will. Harrison, Dirck Bas, Albert Sonck, Guil. Boreel, Levinus Monk, Robert Bel, James Boreel, Andries R. charsson.*

A Confirmation by Lewis XIII. King of France, of the Treaty of Commerce between France and England, made at Paris the 24th of February 1606. At Fontainebleau the 14th of April 1623.

LEWIS, by the Grace of God, King of *France and Navarre*. To our Beloved and Faithful Counsellors, holding our Courts of Parliaments of *Bordeaux, Rouen and Rennes*, Greeting. The late *Henry* the Great, our most Honour'd Lord and Father, for continuing and increasing more and more the good Understanding and Friendship which was between him and our most Dear, and most Beloved Brother, Cousin, and antient Ally, the King of *Great Britain*, and to procure the Benefit and Advantage of our Kingdoms; namely, in what concerns the Trade and Commerce of our common Subjects, treated with our said Brother, the 26th of *May* 1606. And desiring in like manner to maintain and increase the good and sincere Friendship and Correspondence that is between us and our said Brother, and not to omit any thing that may serve to facilitate Trade and Commerce; we have ratify'd, agreed to, and approv'd, and do ratify, agree to and approve, the said Treaty hereto join'd under our Counter-Seal, as far as it is necessary, by these Presents: by which we command you, and enjoin every one of you to consent to, and register the same, and cause it to be executed and maintain'd by all our Subjects in every Point, according to its Form and Tenor, without any Innovation thereof: For such is our Pleasure. Given at *Fontainebleau*, the 14th Day of *April*, in the Year of Grace 1623. and of our Reign the Thirteenth, sign'd *Lewis*; by the King, *Brulart*.

Divers

Divers Pieces relating to the Marriage of Charles, Prince of Wales, Son to James I. King of England, with Mary the Infanta of Spain, Daughter to Philip III. Negotiated in April and the following Months, in the Year 1622.

Pope Gregory the XVth's Brief to the Prince of Wales.

MOST Noble Prince, Health and Light of the Divine Grace. Whereas *Great Britain* has always abounded with Virtues, and Persons of Great Merit, and has fill'd both Worlds with the Glory of her Renown, she often draws the Thoughts of the Holy Apostolical See to the Consideration of her Praises. And indeed in the very Infancy of the Church, the King of Kings was pleas'd to make choice of her for his Inheritance, and that so affectionately, that it is believ'd, the *Roman* Eagles had not arriv'd there before the Standard of the Cross. Not to add, That several of her Kings, instructed in the true Knowledg of Salvation, prefer'd the Cross to the Royal Scepter, and the Discipline of Religion to the Pleasures of the World, setting Examples of Piety to foreign Nations, and the Ages to come. So that having merited in Heaven the Principalities and Preeminences of Beatitude, they have obtain'd on Earth the triumphal Ornaments of true Holiness. And altho the State of the Church of *England* be alter'd at this Day, yet we see the Court of *Great Britain* adorn'd and fortify'd with moral Virtues, which might comfort the Charity which we have for it, and be an Ornament to the Christian Name, if it could withal have for its Defence and Protection the Orthodox and Universal Truth.

Wherefore

Wherefore in so much as we are delighted with the Glory of your most Serene Father, and the Sense of your Royal Disposition, we desire with so much the more Earnestness, that the Gates of the Kingdom of Heaven may be open'd to you, and that you may gain the Love of the Universal Church. Moreover, it being certain, that *Gregory* the Great of most Holy Memory, introduc'd to the People of *England*, and taught their Kings the Evangelical Law, and the Respect due to the Apostolical Authority; we as inferior to him in Sanctity and Virtue, but equal in Name, Degree and Dignity, it is most reasonable, that, in following his Holy Footsteps, we should procure the Salvation of those Provinces, especially at this day, when your happy Design, most Noble Prince, raises you to the Hopes of an extraordinary Felicity. Wherefore, as you are gone to *Spain* to see the Catholick King in Person, with a Desire of being ally'd to the House of *Austria*, we have willingly prais'd your Design, and even testify'd openly with relation to the present Affair, that you are the Person chiefly regarded by our Prelacy: For seeing that you desire to take in Marriage a Daughter of *Spain*, we may from thence easily conjecture, That those antient Seeds of Christian Piety, which have so happily sprung up in the Hearts of the Kings of *Great Britain*, may (God giving them Growth) grow green again in your Soul. And indeed it would be incredible, that one should love such an Alliance, who hated the Catholick Religion, and delighted to oppress the Holy See. We have in consequence hereof commanded most humble Prayers to be continually made to the Father of Lights, that it may please him to put you as a beautiful Flower of Christianity, and the only Hope of *Great Britain*, in possession of that most noble Inheritance, which your Ancestors have acquir'd for you, to defend the Authority of the Sovereign Pontiff, and fight against the Monsters of Heresy. Remember the Days of Old, enquire of your Fathers, and they will tell you the Way that leads to Heaven, and the Road which Temporal Princes walk'd in, in order to arrive at the Eternal Kingdom. See the Gates of Heaven open'd, and those most Holy Kings of *England*, who, leaving *England*, were accompany'd with Angels in their way to *Rome*, and
came

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came to honour, and do Homage to the Lord of Lords, and to the Prince of the Apostles in the Apostolical Chair. Their Works, and their Examples are so many Voices of God speaking and exhorting you to imitate the Life and Example of those, to whose Empire you will one day come. Is it possible you should bear the Hereticks condemning and esteeming those to be wicked, whom the Faith of the Catholick Church testifies are reigning with Jesus Christ in Heaven, and have Command and Authority over all the Principalities and Empires of the Earth? See them stretching out the Hand of this happy Country, to conduct you safe and sound to the Court of the Catholick King, and who desire to bring you again into the Bosom of the *Romish* Church; which, with unutterable Groanings, supplicating the God of all Mercy for your Salvation, stretches out the Arms of Apostolical Charity to embrace you with all Christian Affection, You who are her desir'd Son, in shewing you the most Blessed Hope of the Kingdom of Heaven. In truth you cannot give greater Consolation to all Christian People, than to put in possession of your most Noble Isle the Prince of the Apostles, whose Authority has been held so long in your Kingdom of *Great Britain*, for the Defence of Kingdoms, and the Oracle of the Deity; which will easily come to pass, if you open your Heart to the Lord who knocks, whereon depends all the Happiness of that Kingdom. It is from that so great Charity that we favour the Praises of the Royal Name, and which makes us desire that you and your most serene Father may be qualify'd with the Name of Deliverers and Restorers of the antient and paternal Religion of *Great Britain*; which we hope for, trusting in the Goodness of God, in whose Hands are the Hearts of Kings, and who makes the People of the Earth receive Healing, whom we shall endeavour always with all our power to render propitious and favourable to you. In the mean time be sensible of the Care of our Charity in this Letter, which is only bent upon procuring your Happiness: nor shall we ever repent the writing thereof, if the reading of it but kindles some little Spark of the Catholick Faith in the Heart of so great a Prince, who we desire may be fill'd with Gladness of a long Duration, and flourish with

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the Glory of all Virtues. Given at *Rome*, in the Palace of *St. Peter*, the 20th of *April* 1623. the Third Year of our Pontificate.

The Answer of the Prince of Wales to the Pope.

MOST Holy Father, I receiv'd the Dispatch of your Holiness with great Satisfaction, and with that Respect, which the Piety and good Will with which your Holiness wrote it require. I have had an unspeakable Pleasure in reading the generous Exploits of the Kings my Predecessors, to whose Memory Posterity has not given that Praise and Honour that was due to them: I believe his Holiness has set their Examples before my Eyes, that I might imitate them in all my Actions; for in truth they have often expos'd their State and Life for the Exaltation of the Holy See; so that the Courage with which they have attack'd the Enemies of the Cross of Jesus Christ, has not been less than the Care and Concern I have, that Peace and good Understanding which have been wanting hitherto in *Christendom* might be made strait by a Bond of true Concord: for as the common Enemy of Peace always watches to sow Hatred and Dissension among Christian Princes; so I believe the Glory of God requires we should endeavour to unite them. And I do not reckon I have greater Glory in being descended of so great Princes, than in imitating them in the Zeal of their Piety; in which the Knowledge of the Will of our most Honoured Lord and Father has been of great use to me, as also the Holy Intentions of his Catholick Majesty, in order to bring that laudable Design to a happy Issue, because he has an extreme Regret to see the great Miseries that spring from the Divisions of Christian Princes: which was foreseen by the Prudence of his Holiness, when he judg'd that the Marriage which he was pleas'd to countenance between the Infanta of *Spain* and Me, was necessary to procure so great a Good; because it is most certain, that I shall never desire any thing in the World more passionately, than to seek the Alliance of a Prince who will have the same Opinion and Sense of the true Religion that I have. Wherefore I beseech his Holiness
to

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to believe, That I have always been very far from countenancing Novelties, or being a Partizan in any wife against the Roman Catholick Apostolical Religion ; but on the contrary, that I have sought Occasions of entirely removing any such Suspicion concerning me ; and for the rest, that I exercise my self to have but one Religion, and one Faith, since we all of us believe in Jesus Christ : Having resolv'd not to spare my self in any thing, but to suffer all sort of Inconveniences, and even to hazard my Kingdoms and Life, for an Occasion so acceptable to God. It remains only that I thank his Holiness for the Permission he was pleas'd to grant me, and that I pray God to give him good Health, and his Glory, after the great Pains his Holiness takes in his Church. Sign'd *Charles Stuart.*

Articles, Conditions and Capitulations offer'd by the King of Great Britain, sent to the King of Spain : with the Answers of his Holiness.

The King of Great Britain.

I. **T**HAT the Marriage must be made with the Pope's Dispensation, which Dispensation the Catholick King must procure ; and shall give his Royal Word to the King of *Great Britain* to use all his Endeavours, in order to obtain the said Dispensation of the Pope.

The Pope's Answer.

Both Parties are agreed upon this Point.

The King of Great Britain.

II. That the Marriage shall be celebrated both in *Spain* and *England* ; in *Spain* according to the Form of the Church of *Rome* ; and in *England* according to the Ceremonies which shall appear to be for the Good of the King of *Great Britain*, in such a manner, as that the said Ceremonies shall not be contrary to the Religion of the most Serene Infanta. But as to the first Point, it shall be agreed how this Ceremony shall be perform'd in both Kingdoms.

The Pope's Answer.

The Marriage shall be celebrated in *Spain* ; and if any Solemnity must be made in *England*, there must first of all

all notice thereof be given, and it must be agreed what Ceremony shall be perform'd.

The King of Great Britain.

III. That the most Serene Infanta shall have the free Exercise of the Roman Catholick Religion.

The Pope's Answer.

This Article is likewise agreed to.

The King of Great Britain.

IV. That the most Serene Infanta shall always have her Domestick Servants by the Choice of the most Serene King of *Spain*; so that none can be given her by the King of *Great Britain*.

The Pope's Answer.

This Article is likewise agreed to.

The King of Great Britain.

V. That she shall have an Oratory or Chappel, and Priests to perform Divine Service therein, according as the most Serene Infanta shall ordain.

The Pope's Answer.

This Article is likewise agreed to.

The King of Great Britain.

VI. Which Oratory shall be in the Palace where Mass shall be said, at the Will and Pleasure of the most Serene Infanta.

The Pope's Answer.

That a Publick Church shall be built at *London*, in which City the most Serene Infanta may live, besides that in the Palace; and that Divine Service shall be perform'd in each of them, and the Word of God preach'd in them, with Administration of the Sacraments.

The King of Great Britain.

VII. That all the Domestick Officers and Servants of the most Serene Infanta, of both Sexes, and all the Men and Women Servants of her House and Family, shall have the free Exercise of the Catholick Religion: By which Point is meant, That every Person being a Servant, is oblig'd to be a Catholick.

The Pope's Answer.

That the Men and Women Servants of the most Serene Infanta, and their Children and Posterity, and all their Family, whatever Office they be employ'd in, must have the free Exercise of the Catholick Religion.

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The King of Great Britain.

VIII. That the free Exercife of the Catholick Religion fhall be in the manner following, *viz.* That the moft Serene Infanta fhall have a very great Chappel joining clofe to her Palace; that fo the faid Catholick Servants may enter there freely: which Chappel fhall have a publick and common Gate for the faid Servants, and another lower Gate, that the moft Serene Infanta may enter into it, and hear Mafs, and caufe Divine Service to be celebrated in it when ſhe pleaſes.

The Pope's Answer.

That in that matter the Servants and Domeſticks fhall be upon the ſame foot.

The King of Great Britain.

IX. That this Chappel fhall be adorn'd with a decent Ornament for the Altar, and all other things neceſſary for Divine Service to be celebrated there, according to the Cuſtom of the Holy *Roman Church*: And it fhall be lawful for the faid Officers, Servants and others, as is ſaid above, to enter into the faid Chappel at any hour they pleaſe.

The Pope's Answer.

This Article is likewiſe agreed to.

The King of Great Britain.

X. That the Rector and Keepers of the faid Chappel fhall be elected and deputed by the moft Serene Infanta; and they fhall not allow any to go into it who may commit any Indecency.

The Pope's Answer.

That the Rector and Keepers of the faid Church fhall be *Spaniards*.

The King of Great Britain.

XI. That in order to adminiſter the Sacraments, and perform the Service in the faid Chappel, there fhall be ſuch a Number of Priests as ſhall ſeem proper to the moft Serene Infanta; and if any of them ſhould be the natural born Subjects of the King of *Great Britain*, this fhall only be by the Will and Permiſſion of the faid moft Serene Infanta.

The Pope's Answer.

His Holineſs wills and means that this ſhall be a Church.

The

The King of Great Britain.

XII. That among the said Priests there shall be a Rector or Superior, with Authority and Power to determine Differences that may arise upon the account of Religion and Conscience.

The Pope's Answer.

His Holiness wills that he be a Bishop.

The King of Great Britain.

XIII. That this same Rector or Superior may reform and exercise all Ecclesiastical Jurisdiction upon the Delinquents of the said House and Family : And moreover, the most Serene Infanta shall be at liberty to banish them from her Service when she pleases.

The Pope's Answer.

His Holiness will have it again, that he be a Bishop.

The King of Great Britain.

XIV. That it shall be lawful for the most Serene Infanta and her Servants to obtain Dispensations, Indulgences and Jubilees coming from *Rome*, and all other Things that concern the Conscience.

The Pope's Answer.

This Article is likewise agreed to.

The King of Great Britain.

XV. That the Servant-Men and Women in the Family of the most Serene Infanta that shall be in *England*, shall take an Oath of Fealty to the King of *Great Britain*; provided there be no Clause or Word in the said Oath that contradicts the Religion and Conscience of Catholics; the Form of which Oath shall be approv'd.

The Pope's Answer.

That the said Servants and Domesticks shall be *Spaniards*.

The King of Great Britain.

XVI. That the Laws observ'd in *England* concerning Religion shall not extend to the Catholick Officers and Servants of the most Serene Infanta, who shall be exempted from the said Laws and Penalties inflicted on the Transgressors thereof; and that a Declaration of this matter be made.

The Pope's Answer.

That the Laws which are, or afterwards shall be made in *England* concerning Religion, shall not extend

to the said Servants and others, who shall be exempted from the said Laws, and the Penalties inflicted upon the Transgressors of the same: For which Cause Ecclesiasticks shall not be subject to any other but their own Ecclesiastical Laws.

The King of Great Britain.

XVII. That the Children of their said Majesties shall not be forc'd in the matter of Religion and Conscience; and the Laws against Catholicks shall not extend to them in that Point: and if any of them should be Catholic, yet he shall not for that reason lose or forfeit his Right of Succeeding to the Kingdom of *Great Britain*.

The Pope's Answer.

This Article is likewise agreed to by his Holiness.

The King of Great Britain.

XVIII. That the Nurses who shall give suck to the Children of the most Serene Infanta shall be chosen and admitted by the Consent of the most Serene Prince, and shall be plac'd in the Rank of his Domesticks.

The Pope's Answer.

That the Nurses who shall give suck to the Children of the most Serene Infanta, shall be Catholicks, and chosen by the said most Serene Infanta; and they shall be put in the Rank of her Domesticks.

The King of Great Britain.

XIX. That the Ecclesiastical Rector or Superior, and the Ecclesiastical and Religious Persons, Domesticks of the most Serene Infanta, may wear their usual Ecclesiastical Habits.

The Pope's Answer.

This Article is agreed to.

The Advice of the Cardinals of the Council de propaganda Fide.

As to the Conditions offer'd on the part of the King of *Great Britain*, it appears they are only for the Security of the Religion of the most Serene Infanta and her Family. And for granting the Dispensation, there is somewhat else necessary for the Rights, Increase and Benefit of the Roman Catholick Religion. The said Things ought to be propos'd on the part of the King of *Great Britain*, that so our Holy Father may deliberate, if with such Things he can give the requisite Dispensation.

The

The Demands of the King of Spain.

I. That, besides the good Assurances already offer'd, both the Serene Infanta and her Portion shall remain in *Spain* after the Consummation of the Marriage until all the Conditions be fulfil'd. That to avoid Divorce, greater Things and greater Assurances are necessary; for which Cause the most Serene King of *Great Britain* shall declare what Assurance he will give; and that the Marriage once made, shall never be dissolv'd or unmade.

The King of England's Answer.

As to giving Security that the said Marriage shall not be dissolv'd; there cannot be found more firm Obligations than the Reality and Sincerity of the Religion and Laws of his Kingdom, which admit of no Divorce: Besides, no stronger Bond can be found than his Reputation, and the Marriage it self. With all this, every thing shall be done that can be with Safety and Convenience.

II. *Demand.* That it be declar'd to what Age the most Serene Infanta shall have the Education of the Children that shall be born of that Marriage.

Answer. That the Children shall remain under the Government of Women till the usual Age in such Cases: And this shall be done according to the Complexion and Health of the Children. And thus the Children shall remain a longer or shorter time under the said Government, according as it shall be found convenient and necessary.

III. *Demand.* That it be declar'd, that when any Place of the Servant-Men or Women of the most Serene Infanta shall become vacant, others shall be nam'd by the Catholick King or his Brother in their Places, when their said Places shall become vacant, either by Death, or by their being banish'd, or by their returning to *Spain* of their own accord.

Answer. That the Servants who shall come from *Spain* shall be nam'd by the Catholick King, as often as their Places shall become vacant.

IV. *Demand.* That the most Serene King of *Great Britain* declare what Security he can give, that all that shall be agreed shall be inviolably observ'd.

Answer. For Security, that all these Stipulations shall be duly observ'd, the King of *Great Britain* and the

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Prince of *Wales* shall bind themselves by Oath, that they will confirm and seal them with the Great Seal of *England*: And the King and Prince shall also give their Word, That they will use their utmost Endeavour to have all the said Stipulations agreed to by the Parliament. If the Catholick King adds and proposes any thing else that can be done, the King of *Great Britain* shall do it with all his Heart.

The Answer of the Prince of Wales to the last Propositions of the King of Spain.

The 2^d of *June* 1623. His Majesty presented to the Prince of *Wales* a Paper or Memorial from the Assembly of Divines; and the 3^d of the said Month the Count *d'Olivares* gave him another in the Name of his Majesty, in which he urges his Highness to conclude and accomplish the Marriage agreed to, leaving the Delivery of the most Serene Infanta to another Occasion. Upon which he offers to his Majesty's Consideration that which follows.

That the King his Father being old, and setting his Heart only upon seeing the Marriage of his only Son; and having sent him with hopes that all things would have been facilitated by his Presence, without expecting any longer Delays thro other means; it would be very disagreeable to his Spirit to see new Difficulties started at the end of so many Years that this Marriage has been treating, and when it was thought to be as good as concluded.

That being come in Person, with great Trouble and Danger, in order to show the greatest Demonstrations of his Love for Madam the Infanta; and to demonstrate how much he desires to see these two Monarchies confederated, and return without the Pledg which he sets the greatest value upon, would be an incredible lessening of his Reputation. And it would be a very great Dishonour to him, if the World should believe, that because the Divines would not trust the Word and Oaths of his Father, therefore he was oblig'd to leave his Wife as a Hostage, and with her the Hopes of Succession: A thing that it would be unreasonable to ask of the most cunning Enemy.

And

And as the Interval would give Wings to the Boldness of those who are displeas'd at this Marriage, within the Kingdoms of *Great Britain*, who would venture the King's Anger, to enter upon new Enterprizes, and again molest the Catholicks, in hopes to hinder the Marriage: so it being once done, none will dare to venture this; because then they will see that all their Designs will be thrown to the ground. And this may be concluded from those of other Kingdoms and Provinces of *Christendom*, who have evil Intentions.

That by the sinister and false Representations of the Affairs of *England*, or by bad Offices of evil Counsellors and Ministers done to Catholicks against the Will of their Princes, or by the Proposals of Physicians (whom we are in Conscience oblig'd to believe in what concerns their own Art) or by the Uncertainty or Want of Health, new Terms may be offer'd, and Changes made every day.

And finally, new Difficulties arising, there may be danger of undoing by an Apostolical Dispensation, a Marriage agreed to, and not entirely consummated. And this will not be so difficult as some may imagine, since *Navarro*, while he was at *Rome*, obtain'd three or four such Dispensations, alledging the Spiritual Danger of such marry'd Persons.

And if it should be presum'd or thought, that, this Marriage being dissolv'd, his Highness could not find others, in a shorter time than is requir'd for the delivering to him Madam the Infanta; this would be a very terrible thing, and a very hard Condition, *that after an Endeavour of seven Years*, and after having refus'd all other Offers of that kind, as well as determinately and resolutely set his Affection on your Majesty, and open'd his Soul and Heart to Madam the Infanta, all this should only serve for an Occasion of delaying what he has so much desir'd, and does desire, there being so many apparent Dangers in a Delay.

And supposing that for the Execution of what is promis'd in *England*, or for delivering of Madam the Infanta, there be a Necessity of trusting to the Word and Oath of any of the Parties: his Highness protests, that he values the Royal Promise of your Majesty above all the Pledges in the World, and beseeches you to have

Confidence in the Promise of the King his Father ; which if you do not, there will be open'd a Scene of greater Inconveniences and Impossibilities, with relation to the accomplishment of what is desir'd.

As to the Opinion of the Divines, his Highness regarding as much as possible their great Virtue and Knowledge, would desire that it might please your Majesty to assure and inform them of the great Confidence you put in his sole Word, which you have been pleas'd to esteem and chuse as a greater Pledg for the Accomplishment of what shall be offer'd, than all the Fortresses of his Kingdoms ; because that herein you are convinc'd, that any scruple of Conscience, form'd on the Distrust which they shew, would be found to be neither justly nor sufficiently grounded.

And he would desire also, that they were inform'd in this matter by so many Ministers as have treated in Affairs of the greatest Importance with the most Serene King of *Great Britain* ; that if they do not accuse him of having been worse than his word, in any thing stipulated and sworn to, there will be far less reason to entertain any doubt in the present Case, in which every thing is carry'd on with more Resolutions and greater Oaths, than any other Affair of this nature ever was.

And he presumes withal, that if the Divines stick to their Opinion in this matter, they will not only be frustrated of what they pretend to desire, but will also totally destroy the so much desir'd Marriage and Relation ; wherefore he wishes they would suffer themselves to be convinc'd by the Reasons here represented. And the Sum of what his Highness desires, is, that this may be remonstrated to them by way of Advertisement, so long as the Remedy is at hand.

Besides this, to determine the Particulars of the Security which ought to be demanded of the King his Father, and of his Highness, is not only a Point of Divinity, but also a Point that belongs to your Majesty and your Councils ; to whose Prudence and good Advice in matters of State, it likewise belongs to judg of the matter of Fact.

It ought also to be consider'd, that if at the end of some months there be a necessity of trusting in the Word and Oath of his Highness and of his Father, there being

being no other Security but that to be had, and to do this for the future without hesitation; this would bind them with a stricter Obligation, than all the Diligence that is made use of, in which there is not that Security which they pretend: For if Caution and Cunning should be us'd, it would be no difficult matter to pretend a great Punctuality and Nicety for eight or nine months, and then to show that *Finess* and Industry were of no use to those who had no Confidence in their Royal Word.

And if they ask this for a Trial and Experiment of what shall happen afterwards, the Demonstration which the King his Father has given hereof, ever since this Marriage has been treated of in earnest, to the great Benefit and Comfort of the Catholicks, is greater than any can be given in four months; as is also that which appears in the extraordinary Resolution which his Highness has taken, being mov'd with a fervent Love of the most Serene Infanta, and the great Confidence he had in your Majesty, in coming to serve you in Person, depending solely on your Royal Word, without any other Security.

And if he was not dispos'd to put the best Interpretation upon the matter, his Highness might resent the little Esteem that has been shown to his Person; since his Enjoyment of what he has a Pretension to, and desires most of all things in the World, is put off from time to time, and the *Roman* Catholicks in *England* are from this present put in the Possession and free Exercise of their Religion, in the form that has been agreed: so that his Highness is not upon an equal foot with those with whom he is contracting, nor even on a level with his Father's Vassals, nor partakes of the Blessings of this Marriage, altho his Highness has been at so much Pains about it for so many years, with more danger than any other.

As to the Oath which his Holiness requires, according as his Highness is inform'd, your Majesty may very well accept of it; since in a promissory Oath made to another, to which one cannot be compel'd, one is not suppos'd to promise more, than to endeavour, by all necessary Cautions and Replies, to procure the Accomplishment of the Word and Oath, as appears by many Examples.

And

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And for that Accomplishment, the Confidence which your Majesty may put in his Highness and his Father, is more than just and evident, for a great many known and strong Reasons and Motives. And he hopes that the great and learned Personages who meet together in this Assembly, after having seen these Reasons, which they could not know till now, will agree, and concur in what they find to be of greatest weight, and further strengthen and confirm the Experience of his Highness's Reputation, which is pretended to be so much against him; and hopes, without the least doubt, that they will be all of this Opinion and Persuasion. And in case they do not all concur, your Majesty ought to consider and measure the Weight of Votes, and not the Number; since it is so useful and certain in Practice and Experience, that the Conscience of your Majesty will, by following this Method, be perfectly secure, and no one will censure your Actions.

For a Conclusion of all that has been said: Since the Divines propose so many Difficulties, that they put his Highness under an Impossibility of receiving them; and since there are many Reasons for believing that they did not give their Advice as definitive or obligatory in Conscience, but only *ad melius esse*:

And since it is evident, that it would be wrong to take that Method; and besides, since his Highness, to satisfy your Majesty's Conscience, engages on his Faith and Honour, that not only all the other Heads, but likewise the Substance of what the Divines demand shall be executed at the time by them limited, and by more effectual means than those that they have determin'd; He presumes that your Majesty will not, by suffering your self to be carry'd away by that Resolution, venture to endanger and lose the great Blessings, which will evidently result from this Union to all *Christendom*, viz. the Propagation of the Catholick Religion, which your Majesty prefers to all the rest, and the Establishment of a reciprocal Friendship and Love, which is so much desir'd between the Persons of your Majesty and his Highness, and our Successors and Kingdoms.

And finally he beseeches your Majesty to join this Favour to those which he is receiving every day, which he shall esteem more than all the Favours in the World, and that

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that is, to give as a moral Security, the Promise and Oath of a Christian Prince, wherewith your Majesty is so well satisfy'd; and thus mov'd, to overcome all the Difficulties and Scruples that might hinder the Effect and Dispatch of this Marriage, by your Royal Grandeur. That his Highness dedicates and consecrates his Person, and all that he possesses, for the Accomplishment of what shall be agreed; and will rather suffer the Loss of all, and even of himself, than be wanting in the least Tittle of what your Majesty shall have engag'd your Royal Word for. Moreover, his Highness will seal his Obligations to your Majesty, whose Royal Person may Heaven prosper with the happy Successes that he desires.

A Treaty of a General Cessation of Arms in the Empire, granted by James I. King of Great Britain, for his Son-in-law Frederick V. Elector Palatine, and those of his Party; and the Infanta the Archduchess of Austria, in the name of the Emperor Ferdinand II. and Philip IV. King of Spain; made at London the 1st of May, 1623.

AS nothing is more to be desir'd, or ought to be more earnestly sought after by Christian Princes, than the Preservation and Continuation of Peace in *Christendom*, and especially in the Empire, which is as it were the Bulwark against all the Efforts of the common Enemy; and as in order to establish the said Peace in the same, it is necessary to lay down Arms, and cease from all Acts of Hostility, in order to enter into a Treaty of general Pacification, which could not have its free and regular Exercise amidst the Noise and Commotions of War; therefore his Majesty of *Great Britain*, and the most Serene Infanta *Isabella Clara Eugenia*, Arch-

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Archdutchess of *Austria*, by virtue of the Powers by which her Highness is strengthen'd, have deliberated to enter into a Treaty of Cessation and laying down of Arms, and have for that effect nam'd respectively their Commissioners and Deputies, *viz.* on the part of her said Highness, by virtue of the said Powers, *Con Carlos Coloma*, Knight of the Order of *St. James*, Commander of *Montiel* and *Ossa*, of the Council of War of his Catholick Majesty, Governor of the City and Citadel of *Cambrai*, Captain-General of the Country of *Cambresis*, and his Ambassador Extraordinary at the Court of his Majesty of *Great Britain*; and *Messieur Ferdinand de Boisshot*, Baron of *Saventhen*, also Knight of the Order of *St. James*, Counsellor of the Council of State, and of his said Catholick Majesty's Privy Council in the *Low Countries*, and Ambassador Extraordinary from the said most Serene Infanta, at the Court of the said Lord the King of *Great Britain*. And on the part of the said Lord the King of *Great Britain*, *Lionel*, Earl of *Middlesex*, Lord High Treasurer, &c. *Lewis*, Duke of *Lennox*, Master of the Household of his said Majesty of *Great Britain*; *James*, Marquiss of *Hamilton*; *Thomas*, Earl of *Arundel* and *Surry*, Great Mareschal of *England*; *William*, Earl of *Pembroke*, Chamberlain to his said Majesty of *Great Britain*; *Oliver*, Viscount of *Grandison*; *Arthur*, Baron *Chichester* of *Belfast*, Lord High Treasurer of the Kingdom of *Ireland*; *Sir George Calvert* Knight, one of the first Secretaries of State to the said Lord the King of *Great Britain*; and *Mr. Richard Weston*, Chancellor of the Exchequer of his said Majesty, all of his Council of State: who in the Name and Quality abovesaid, and in virtue of the Powers and Commissions granted them for that Effect, whereof the Tenor shall be inserted at the end of this Treaty, have agreed together, by the Knowledg and Good-will of his said Majesty of *Great Britain*, and the said most Serene Infanta, the Articles and Conditions which follow.

I. A General Cessation and Suspension of Arms, in the Empire, has been agreed and settled, as well by the most Serene King of *Great Britain*, and his Son-in-law, as by all those who take part with him; and that for the Term of fifteen Months, in which time there shall be no new levying of Men.

II. It has been concluded and agreed, That during the said Cessation of Arms, there shall be no Incursions, taking of Prisoners or Goods, Attempts upon Places and Forts, nor any other Acts of Hostility committed on the part of the most Serene King of *Great Britain*, his Son, or those of his Party; nor shall they give Aid or Relief directly or indirectly, contrary to this present Treaty, within the Limits of the Empire, or of the Confederates thereof. As also her Highness the most Serene Infanta promises and obliges her self, That no Invasions or Hostilities shall be committed against the Persons of the contrary Party, nor against their Vassals, Goods, Houses or Lands in any manner; and that there shall be no new Levies rais'd to throw into the *Palatinates*.

III. It has been agreed and concluded, That during this Treaty, neither the most Serene King of *Great Britain*, nor his Son-in-law, shall keep or enter into any League or Confederacy, in prejudice of this present Treaty, but shall renounce them, even as they do from this present; as also whosoever shall commit, or be concern'd in any Invasion or Act of Hostility within the Lands of the Empire, or those of its Confederates, shall be declar'd Enemies of the Empire, and of the said Confederates. As in like manner the most Serene Infanta declares as such all who shall contravene this present Treaty; as well the most Serene King of *Great Britain*, as the most Serene Infanta promising; for that effect, to use their utmost Endeavours to hinder the Oppressions and Hostilities aforesaid, that so the Peace may be re-establish'd, and Commerce render'd perfectly secure as formerly.

IV. It has been agreed and concluded, That during the said Term there shall not be built on either side any new Fortresses or Fortifications in either of the *Palatinates*; but all the Forts thereof shall remain and be left, during the said time, in the State they are in at present.

V. It has been agreed on the part of the most Serene Infanta, by virtue of those Powers, that the General Treaty of Peace, and final Accommodation of the Troubles that have arisen, and which prevail at present in the Empire, shall be held between the Ambassadors, Commissioners and Deputies as well of his Imperial Majesty,

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and other Parties interestèd with him, as of his Majesty
of *Great Britain*, for the Interest of his Son-in-law, and
of the Persons interestèd with him in the City of *Ca-*
logne.

VI. And as well his Majesty of *Great Britain*, as her
Highness the most Serene Infanta, have agreed, That
the said General Treaty shall begin at farthest within the
space of three or four months, after the date of the pre-
sent Treaty ; and for that Effect the foresaid Princes shall
send their Ambassadors, Commissioners or Deputies to
the said Place agreed upon.

The which Articles above-mention'd, the most Serene
King of *Great Britain* on the one side, by virtue of the
Power he has receiv'd from his Son-in-law ; and the most
Serene Infanta, by virtue of the foresaid Powers on the
other side, sincerely promise and oblige themselves, on
the Faith and Word of Princes, really and punctually to
fulfil, and cause to fulfil the whole Contents of these
Presents, without doing any thing to the contrary either
directly or indirectly : the said most Serene Infanta en-
gaging her self to ratify, and cause his Imperial Majesty
to ratify this present Treaty, and to deliver their Ratifi-
cations thereof to his Majesty of *Great Britain* ; who
reciprocally promises to ratify, and cause his Son-in-law
to ratify (by subscribing his Name) this said Treaty, and
deliver the said Ratification to the said most Serene In-
fanta, or her Ministers, within the space of two months
next.

Here follow the Tenours of the Commissions.

JAMES, by the Grace of God, King of *Great Bri-*
tain, &c. To all who shall see these Presents, Greet-
ing. Whereas thro the great Desire we have always had
to put a stop to War, and to bury the Troubles which
are sprung up in the Empire, and to see the publick Peace
and Tranquillity of *Christendom* restor'd and settled, we
have for that end sought all occasions of embracing all
the means conducing to that Good ; and judging that,
in order hereunto, it would be expedient first of all to
desist from all Acts of Hostility by a Cessation of Arms,
in order to prepare the way for a Treaty, which could
not

not have its free and regular Course, amidst the Noise and Commotions of War : We no sooner understood the same Disposition and Design of the most High, most Excellent and most Potent Prince, *Ferdinand II.* by the Grace of God, Emperor of the *Romans*, &c. our most dear and most beloved good Brother and Cousin, towards the said Cessation, but we dispatch'd for that effect our Ambassador Extraordinary at the Court of the most High and most Potent Princess, our most dear and most beloved good Sister and Cousin, the Infanta *Isabella Clara Eugenia*, by her Intervention, to debate and conclude that Affair of the Cessation of Arms, with the Commissioners by her deputed, in virtue of the Power and Authority given to her by his Imperial Majesty. And altho the matter could not then be resolv'd, because of the many great Difficulties that happen'd in the Negotiation, yet this good Desire having continu'd on both sides, and given birth to new Expedients to begin it afresh, by the Intervention of our said good Sister and Cousin, the most Serene Infanta, who sent to us her Ambassador Extraordinary, the *Sieur de Boisshot*, Baron of *Saventhern*, &c. to treat with us and our Deputies for that end, together with *Don Carlos de Coloma*, Ambassador Extraordinary from the most High, most Excellent, and most Potent Prince, the King of *Spain* ; we desiring with our Power to advance this Work, in order to be able to obtain a Peace, and being willing to commit the same to Persons of sufficient Prudence and Integrity, We make it known, that having full Knowledge of and Confidence in the Probity, Sufficiency, Loyalty and Experience of our dear and well-beloved Cousins, *Lionel*, Earl of *Middlesex*, Lord High Treasurer of our Kingdom of *England*, &c. *Lewis*, Duke of *Lenox*, Master of our Household ; *James*, Marquis of *Hamilton* ; *Thomas*, Earl of *Arundel* and *Surry*, Great Mareschal of *England* ; *William*, Earl of *Pembroke*, our Chamberlain ; and *Oliver*, Viscount of *Grandison* ; and our faithful and well-beloved *Arthur*, Baron *Chichester* of *Belfast*, Lord Treasurer of our Kingdom of *Ireland* ; *Sir George Calvert*, Knight, one of our Principal Secretaries of State ; and *Sir Richard Weston*, Chancellor of our Exchequer, all Counsellors of our Council of State : We have constituted and deputed them, and do by these Presents constitute and de-

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pute them, to treat, conclude and settle with the said Lords the Ambassadors Extraordinary of the most Serene King and Infanta, our most dear Brother and Sister, they being warranted with sufficient Power as to the matter of the said Cessation of Arms, the Affair of the Sequestration of the Town and Forts of *Frankendels*, in the hands of the said Lord the King, under such Compacts, Conditions and Securities, and for such time as can be agreed on, in the same manner as we our self could do in our own Person; for which we have given, and do give them full Power and Authority, altho the Case should require a more special Commission than is contain'd in these Presents: Promising on the Word and Faith of a King, and upon the Mortgage of all our Goods present and to come, to be satisfy'd with, and hold firm and stable for ever, all that shall be done, treated and concluded by our said Commissioners; and to observe and fulfil the whole in every Point, without ever doing any thing to the contrary, either directly or indirectly. In Testimony whereof we have sign'd these Presents with our own Hand, and caus'd our Seal to be put and affix'd thereto. Given at *Newmarket* the 1st day of *May*, in the year of Grace, 1623. and of our Reign in *England* and *Ireland* the 20th, and in *Scotland* the 50th. *James* the King.

ISABELLA Clara Eugenia, by the Grace of God, Infanta of *Spain*, Archdutchess of *Austria*, &c. To all who shall see these Presents, Greeting. Whereas his Imperial Majesty, by his Letters Patent of the 4th of *June*, 1622. hath, at the instant and repeated Request and Intercession of the most High, most Excellent and most Potent Prince the King of *Great Britain*, our most dear and most beloved Brother, out of the great Desire he hath to see the publick Peace and Tranquillity establish'd, given full Power, Authority and absolute Commission to settle and make a Cessation of Arms in the *Palatinate*, and other Parts in *Germany*, with all that depends thereupon, as the said Lord the King has always testify'd that he desir'd, having for that effect some time ago sent his Ambassador to our Court, to whom we have also join'd our Commissioners and Deputies, to conclude and settle in our name the said Suspension or Cessation

Cessation of Arms, yet without this Affair's being brought to a final Determination, altho it was afterwards continu'd and prosecuted. And being desirous to see the good and happy Success thereof, and answer the Design of the Power aforesaid; we make it known, that we having certain Knowledge of, and great Confidence in the Prudence and Experience of our most dear and most beloved Don *Carlos Coloma*, Knight of the Order of St. James, Governor and Captain-General of *Cambray* and *Cambresis*, of his Majesty's Supreme Council of War; and *Ferdinand de Boisshot*, Baron of *Saventhen*, likewise Knight of the Order of St. James, and Counsellor in his Majesty's Council of State, and Privy Council in the *Low Countries*: We have delegated, constituted and deputed them on our part, and do depute, constitute and delegate them by these Presents, for the effect aforesaid, to treat, conclude and agree with the said Lord the King, or his Deputies, having sufficient Power and Authority, with relation to the said Cessation of Arms, and to settle the Sequestration of the said Town of *Frankendale* in our hands, under such Compacts, Conditions and Conventions, and for such time as can be agreed upon on both sides; and that with the same Firmness, and in the same Form and Manner as we our self could do, if we were there personally present (to which we authorize them by these said Presents) altho the Case should require a more special Commission than is contain'd in these Presents. And we promise on the Faith and Word of a Princess, and upon our Honour, and under the Obligation of all our Goods present and to come, to be fully satisfy'd with, and hold firm and stable for ever, all that shall be settled, made and agreed for this effect; and that we shall cause his said Imperial Majesty solemnly to confirm, ratify and approve all that shall be done, treated, concluded and settled by them in this matter, without ever doing any thing to the contrary, directly or indirectly. We are satisfy'd with, do approve and ratify by the said Presents, and promise to confirm, approve and ratify them in the most ample Form that can be conceiv'd, for the due Observation, Maintenance and Execution of all that shall be done, concluded and settled by virtue of that our said Power. In Testimony whereof we have sign'd these Presents,

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and caus'd our Seal to be put and affix'd thereto. At *Brussels*, the 12th of *February*, 1623. subscrib'd thus, *A. Isabel*, and by Order of her Highness, *De la Faille*.

In Faith and Testimony of all and every one of which things, we the Commissioners and Deputies aforesaid, have undersign'd the present Treaty with our Hands, and strengthen'd and confirm'd the same, by affixing our Seals. At *London* the 21st of *April*, 1623. according to the Stile of *England*, and the first of *May* 1623. according to the New Stile. *D. Carlo Coloma, Ferdinand de Boischor; Middlesex, Lenox, Hamilton, Arundel and Surry, Pembroke, Ol. Grandison, Arthur Chichester, George Calvert, Richard Weston.*

A Treaty for continuing the Defensive League between James I. King of England, and the United Provinces of the Low Countries. At London, the 5th of June, 1624.

WHEREAS the most High, most Excellent, and most Potent Prince *James*, by the Grace of God King of *Great Britain, France and Ireland*, &c. has been several times humbly requested and besought by the most High and most Potent Lords the States General of the *United Provinces of the Low Countries*, his good Friends and Allies, and not long since by *Francis van Aerssen* Knight, Lord of *Somelsdijk and la Plate*, &c. and *Albert Joachimi* Knight, Lord of *Ostend van Odekenskercke*, &c. and *Noel van Carin* Knight, Lord of *Schonewalle*, &c. their Ambassadors Extraordinary and in Ordinary, to continue the Alliance of the Defensive League begun a long time ago, and continu'd for many Years between his Kingdoms and their Provinces, and to secure and confirm the same more and more, and allow the said Lords the States to raise some Troops in his Kingdoms; his said Majesty, in continu-

continuation of his Favours, and those of his Predecessors to the said Provinces, and for the Preservation and Safety of his Kingdoms, and of the said Provinces, and the more easily to settle his most dear Son-in-law, the Prince Elector *Palatine*, in his States and Dignities; has thought good, in his Council, to have the said League and Troops aforesaid to be treated of with them in his name; having for those ends nam'd and deputed the Illustrious and Excellent Lords, *George Duke of Buckingham*, Lord High Admiral of *England*, &c. *James Marquis of Hamilton*, Lord High Steward, &c. *William Earl of Pembroke*, Lord High Chamberlain, &c. *Edward Conwey*, one of his Principal Secretaries of State; and *Richard Weston*, Chancellor of his Exchequer, both Knights; all and every one of them Members of his Council of State and Privy Council, his Commissioners duly authoriz'd to conclude and settle with the said Lords, the Ambassadors Extraordinary and in Ordinary, whatever they shall find good and proper for the said ends. Which Lords Commissioners and Ambassadors, by virtue of their Powers and Commissions, a Copy whereof shall be inserted at the end of this present Treaty, after several Conferences held on that head, have finally agreed, concluded and settled the following Articles.

. There shall be a good Alliance of a Defensive League between his said Majesty, and the said Lords States of the *United Provinces* of the *Low Countries*, for the Preservation of his Kingdoms, and of their Provinces respectively.

. His said Majesty consents, that the said Lords shall raise Six Thousand Foot under their Commissions and furnish that number from time to time, as Voters, out of his Kingdoms, so long as this Alliance shall continue: Which Six Thousand Men his Majesty shall allow arm'd, and carry'd to the said *Low Countries* within Weeks, or sooner, if it can be, after the Conclusion of the present Alliance, to be divided into four Regiments, each of which shall be compos'd of twelve Companies, and commanded by one Colonel.

His Majesty shall allow such of his Subjects as present themselves, and shall be enroll'd in the Ranks of Colonels, and subaltern Officers in the said Regiments,

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giments, to enjoy and exercise their said Charges and Posts; and after the said Troops shall have arriv'd in the said *Low-Countries*, That all Charges and Posts of Colonels and others that shall become vacant in the said Regiments be dispos'd of according to the Order observ'd in the said Countries, with regard to the other Regiments of his said Majesty's Subjects.

IV. And these Regiments shall be govern'd, maintain'd and paid in the said *Low-Countries*, under the same Authority, Conditions, Laws and Customs, as the other Regiments are at present, which are likewise compos'd of his said Majesty's Subjects.

V. The Colonels, Lieutenant Colonels, Serjeants, Majors, Captains, and other Officers and Soldiers, of which the said Troops are compos'd, shall be paid according to the Order and usual Pay in the said Provinces.

VI. His said Majesty promises to send from year to year, in four equal Terms, to the City of *Delft, Amsterdam*, or any other Place under the Government of the said Lords the States, the total Sum to which the full Pay of the said six Thousand Men shall amount: And shall advance it from three Months to three Months, beginning from the 1st Day after the signing the present Alliance.

VII. Which Sum shall be deliver'd from time to time, in good specie, according to the Value of the Mony of the Country, into the Hands of the Pay-master whom his Majesty shall please to establish and settle, and cause to reside in the Country of *Holland*; in order to be by him distributed, according to the Appointment of the said Lords the States, and upon the Muster-Rolls of their Commissaries.

VIII. Which Pay-master shall also be oblig'd to pay off, upon the Appointment of the said Lords the States, every three Months, all the Mony that shall remain of the Musters not furnish'd or compleat; and the said Pay-master shall receive no more than 1500 Guilders Salary a Year of *Dutch* Mony.

IX. The said six Thousand Men shall every where and in every respect enjoy the same Privileges, Liberties and Benefits that all the other Officers and Soldiers of his said Majesty's Troops do, that are at present in the Service of the said Lords the States.

X. All the Colonels, Lieutenant-Colonels, Serjeants, Majors, Captains, and other Officers and Soldiers of the said Troops, shall be oblig'd to take an Oath of Fidelity to the said Lords the States, to the Governor General, and to all others to whom it shall appertain, in the same Forms, Terms and Engagements with all the other Officers and Soldiers of the same Nation.

XI. His said Majesty shall allow the said Lords the States to raise those Troops on this Condition, That they make restitution after their War shall be ended by a good and firm Peace, or a Truce of eight, ten or twelve Years, in such a Number of Years as the said Troops shall have been in their Service: to wit, in the first Year of the Peace, or Truce of eight, ten or twelve Years, they shall return to his Majesty the Advance made the first Year of this League, and so on from year to year, till full Payment shall have been made. For Security whereof, a Deed of Obligation shall be given to his Majesty, in Form, under the Seal and Signature of the said Lords the States.

XII. In acknowledgment of which Royal Favours, the said Lords the States oblige themselves readily to assist his Majesty from year to year with four Thousand Men, or their Pay, at the Option of his said Majesty; if upon the account of this present Treaty, or for any other Cause he should be attack'd by his Enemies, in his Kingdoms, by open War.

XIII. Which Pay they shall cause to be paid at the four Terms of the Year, in the City of *London*; which shall likewise be advanc'd every three Months, and begin as soon as his said Majesty shall have been openly attack'd, and requir'd the said Lords the States to furnish the said four Thousand Men, or the Money for the Pay of that Number of Troops.

XIV. And this Assistance shall likewise be given on condition, That his said Majesty shall promise to make restitution thereof to the said Lords the States, after the War shall be ended, on the same Terms, Conditions and Advantages that the said Lords the States are bound to give to his Majesty.

XV. The present Alliance shall last at least for the space of two Years, beginning from the Day that the said Troops shall have pass'd a General Muster on the other

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side the Sea, and so long after, till his said Majesty, or the said Lords the States conjunctly or severally, shall think fit to enter upon new Deliberations; in which case, the same shall be insinuated six Months before the e-lapsing of this Alliance.

XVI. All which Conventions and Conditions of the present Alliance of a Defensive League, the said Lords Commissioners and Ambassadors promise in the Name of his Majesty, and of the Lords the States respectively, to accomplish and cause to be accomplish'd *bona fide*, according to their Form and Tenor, and to have them ratify'd, if need be. In Faith whereof they have sign'd the present Treaty as usual, in the City of *London*, and strengthen'd and confirm'd the same by affixing their Seals, the 5th of *June* 1624.

Here follow the Copies of the Commissions.

The Copy of His Majesty's Commission.

JAMES, by the Grace of God, King of *Great Britain, France and Ireland, &c.* Defender of the Faith; To all who shall see these Presents, Greeting. As We have always been careful, since our Accession to the Throne of *England*, to follow the Steps of the late Queen our most Dear Sister of happy Memory, not only in maintaining the good Understanding and Amity which we found establish'd between her and the Lords the States General of the *United Provinces of the Low-Countries*; and between the Subjects of both sides, for the Good, Comfort and Benefit that mutually arise to both from their good and near Union; but likewise in binding and tying more close on all Occasions the Knot of that good Correspondence with the said Lords the States General, as we have done several times, as well by the good Offices which from time to time we have done them out of our good Will, as by Treaties of Confederacy that have pass'd betwixt us and them; so being likewise push'd on by that same Desire, and ready Affection to embrace every Occasion of strengthening the Bond of that good Understanding between us and the said Lords the States, who have again sent their Ambassadors

Ambassadors to us to require our Assistance, and to invite us to a more close Confederacy than what we have with them at present: We have willingly listen'd to their Request, and consented to enter into a Treaty with them, for renewing the antient Alliances that we have with their State, and to make and conclude a Defensive League with them, as well by Sea as by Land. And it being necessary for this purpose, to employ on our part Persons of due Probity and Sufficiency, to treat and resolve with the Ambassadors and Commissioners of the said Lords the States about an Affair of such Importance; We make it known, That having full Knowledge, and trusting in the Loyalty, Prudence, Experience and Sufficiency of our Dear and well-beloved Cousins and Counsellors, *George Duke of Buckingham*, Lord High Admiral of *England*; *James Marquis of Hamilton*, Lord High Steward; *William Earl of Pembroke*, our Chamberlain; and our Beloved *Edward Conwey*, Knight, one of our Principal Secretaries of State, and *Richard Weston* Knight, Chancellor of our Exchequer, all of our Council of State and Privy Council: We have for these Reasons constituted, ordain'd and deputed, and do constitute, ordain and depute them by these Presents our Ambassadors and Commissioners; and have given and do give them full Power, Authority and Commission to treat, agree and conclude with the said Ambassadors and Commissioners of the said Lords the States General (being warranted with sufficient Power) about a Confederacy and Defensive League, as well by Sea as by Land, between us and them, and about the Renewal of our antient Alliances, as well for the due Observation and Maintenance of the Intercourse and Commerce between our People, as for the mutual Defence and Preservation of our States; and for this end to do whatever they shall see necessary and expedient, in the same manner as we could do our self, if we were there present in Person. To which we authorize them by these Presents, even altho the Case should require a more special Commission; promising on the Faith and Word of a King, and under the Obligation of all our Goods present and to come, to be satisfy'd with, and to hold firm and stable whatsoever shall be done, promis'd and agreed in this matter by our said Commissioners, and

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to preserve, fulfil, and inviolably maintain the whole, without acting to the contrary directly or indirectly. In Testimony whereof, we have sign'd these Presents, and thereto put and affix'd our Signet. Given at our Court at *Theobalds*, the 15th Day of *April* 1624.

The Copy of the Commission of the Lords the States.

THE States General of the *United Provinces* of the *Low-Countries*, to all who shall see these Presents, Greeting. Whereas, for the Good and Service of our Republick, we are oblig'd to send Ambassadors to the King of *Great Britain*, in order to deliberate, treat and conclude with his Majesty an Offensive or Defensive League only, and other Affairs which might tend to the Advancement of his Majesty's Service, and that of our Provinces; and being fully satisfy'd of the Sufficiency, Prudence, Fidelity and Diligence of the Lords *Francis van Aerffen*, Knight, Lord of *Somelsdijk* and *Plate*, &c. and *Albert Joachimi*, also Knight, Lord of *Ostend* and *Odekenskercke*, &c. We having made choice of their Persons in Quality of Ambassadors extraordinary, conjointly with *Noel van Caron*, likewise Knight, Lord of *Schonewalle*, our Ambassador in Ordinary, to treat in our Name, and on our part with his said Majesty, or with those whom he shall think fit to commission for that Business, about those and the like matters: and whereas to facilitate their Negotiations, in order to bring them to a happy End and Conclusion, they want to be furnish'd by us with full Power, Authority, Commission and special Instructions; We being desirous to bring matters to that Issue, and to remove all manner of Dispute that might arise about their Credentials and Authority, do, by virtue of these Presents, give them, and to every one of them in particular (in case any one of them should be hinder'd by Sicknes or otherwise, from being all three present together at the Treaty) full Power to treat, agree and conclude with his Majesty, or with those who shall be deputed on his part, an Offensive or Defensive League only, or any other Treaty and Agreement, as they together shall judg beneficial to both
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sides; and to make or pass such Instruments, Contracts and Promises of every thing that shall be thus agreed and concluded, in such good and due Form as shall be necessary; and in general to act in the matters above specified, and in those Circumstances and Dependencies, in the same manner that we should do, if we were there present in Person, altho the matter should require a more special Commission than is contain'd in these Presents: by which we promise sincerely and *bona fide* to be satisfy'd with, and to hold stable and firm for ever, whatever shall be done, promis'd and agreed by them in that Quality; to observe, fulfil and maintain the same inviolably, without doing any thing to the contrary, directly or indirectly, in any sort or manner whatsoever; but to ratify the whole, if necessary, and give Letters and Instruments thereupon, in the best Form that can be conceiv'd to the Content and Satisfaction of his Majesty. Done at the *Hague* in our Assembly, under our Seal in red Wax: sign'd; and below, the signing of our Clerk the 9th of February 1624.

A Secret Article.

WHEREAS it is laid down in the second Article of the Defensive League made the 5th of this Month of June, between the Lords Commissioners of the King of *Great Britain*, and the Ambassadors of the Lords the States of the *United Provinces* of the *Low-Countries*, That the said Lords the States might raise in the Kingdoms of his said Majesty six Thousand Men, and furnish and hold compleat the said Number of Men from time to time, without its having been expressly declar'd, *at whose Charge, or with what sort of Money the Recruits should be rais'd for the future*; the said Lords Commissioners and Ambassadors, in order to clear this Article and Doubt, do mean, and have agreed on Presumption, That all such Recruits as are wont to be rais'd by the Order, and at the Expence of the said Lords the States, with regard to the other Regiments Subjects of his said Majesty, the same shall also be rais'd with regard to this new Levy of six Thousand Men, and shall be paid with the Money, which, by the VIIIth Article

title of the said League, shall remain and arise upon the *Musters not furnish'd or compleat*, and of which the Pay-master shall clear his Hands on the Appointment of the said Lords the States, if it be sufficient and enough for the Charge of the said Recruits, in order to hold the said Levy of six Thousand Men compleat: That his Majesty shall from time to time advance and furnish whatever shall be wanting thereof, which shall be return'd to him on the same Terms and Conditions with the general Advance according to the XIth Article.

And to explain more fully the XIth Article, in which it is said, *That for the Security of the Restitution of the Advances made, and disburs'd by his Majesty for the said Levy, there shall be given to his Majesty an Act of Obligation in Form, under the Seal and Signature of the said Lords the States; the said Lords Commissioners and Ambassadors understand their Intention to have been and to be, that such Act of Obligation shall be dispatch'd and deliver'd at the Charge of each of the said United Provinces severally, and in solidum by the said Lords the States General in a Body, in the same Stile and Form with the Obligation of the 16th of September 1608. Done and agreed in the City of London, the 15th of June 1624. and sign'd, G. Buckingham, Hamilton, Ed. Conwey, Richard Weston, Francis Aerssens, Alb. Joachimi, Noel van Caron.* And higher, above the Signatures of the Lords, it was seal'd with the respective Coats of Arms of the Lords Commissioners and Ambassadors.

The Obligation of their High Mightinesses of the United Provinces, in favour of the King of England, of which mention is made in the Treaty.

THE States General of the *United Provinces*, as also the States of *Guelder and County of Zurphen, of Holland and West-Friseland, Zeeland, Utrecht, Friseland, Overysse, and of the City of Groningen and Ommelanden*; To all who shall see these Presents, Greeting. Whereas by the Treaty made between the Lords Commissioners

Commissioners of the most Serene King of *Great Britain, France and Ireland*, thereto specially commission'd by his said Majesty, viz. the most Illustrious and Excellent Lords, *George Duke of Buckingham, &c. Lord High Admiral of England, &c. James Marquis of Hamilton, Lord High Steward to the said King; William Earl of Pembroke, Chamberlain to his said Majesty; Edward Conwey, one of his Principal Secretaries of State; and Richard Weston Chancellor of his Exchequer, Knights; all and every one of them of his Council of State, and Privy Council on the one side; and the Lords, Francis van Aerssen, Knight, Lord of Sommeldijke and Plate, &c. Albert Joachimi, Knight, Lord of Ostende, Odekenskerche, &c. and Noel van Caron, Knight, Lord of Schonwalle, &c. our Ambassadors extraordinary and in ordinary, on the other side, the 5th of June last, O. S. it was treated, agreed and promis'd by the XIth Article of the said Treaty, and also by the Explanation of the said Article the 16th of the said Month of June, by another particular Article, That for the Security of the Restitution of the Advances made and disburs'd by his said Majesty for the Levying, Maintenance and Recruiting of six Thousand Foot, there shall be given to his said Majesty an Act of Obligation in Form, and under the Seals and Signatures of us in a Body, and of every one of the said United Provinces, and in solidum, in the same Stile and Form with the Obligation of the 16th of September 1608. So it is, That in order to satisfy and answer on our part the Contents of the said XIth Article, and the Explication thereof, we have as well in general as every one of us in particular promis'd and aver'd, and do promise and aver to restore and cause to be restor'd to the said King or his Ministers, his Heirs and Successors, or their Ministers, all the Advances and Money which shall be disburs'd, or shall have been disburs'd by his Majesty for the said Levy, and distributed by his establish'd Pay-master, upon our Order and the Muster-Rolls of our Commissaries, according to the Contents of the VIIth Article of the said Treaty; obliging for this end all the *United Provinces*, and each of them in solidum, all the Cities and Subjects of the same, as well in general as in particular, our and their Persons, and all our and their Goods whatsoever, move-
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ble and immovable, present and to come, not excepting any one of them: Hereby renouncing for that effect, expressly and *in vim pacti*, all and singular the Privileges, Exceptions and Benefits of Law whatsoever, *non numerate Pecunie, non facti aut celebrati contractus, rei non gesta, doli mali, fraudis, Privilegii fori* (which we look upon as here inserted) which might in any manner derogate from, or prejudice these Presents, and even the Advantage express'd in these Words, *That a General Renunciation is not valid, if a special one has not gone before*: The whole without Fraud or Deceit. In Testimony whereof, We the States General, and We the States of *Guelder* and County of *Zutphen*, *Holland* and *West-Friseland*, *Zeeland*, *Utrecht*, *Friseland*, *Overyssel*, and the City of *Groningen* and *Ommelanden*, have caus'd these Presents to be seal'd with our Great Seals, and sign'd by our Recorder and Secretary respectively; and We the States General, the 17th of *October* 1624. Sign'd *Nicolaes vander Bouchorst*, and upon the Fold, by order of the said Lords the States General, sign'd *J. van Goch*. By order of the Lords the States of the Dutchy of *Guelder*, and County of *Zutphen*, sign'd *J. Stuyssen*; by order of the Lords the States of the County of *Holland* and *West-Friseland*, the 4th of *November* 1624. sign'd *C. vander Wolf*; by order of the Lords the States of *Zeeland*, sign'd *J. Boreel*; by order of the Lords the States of the Province of *Utrecht*, the $\frac{1}{4}$ th of *April* 1625. sign'd *Ant. van Hilten*; by order of the Lords the States of *Friseland*, the 26th of *April* 1625. sign'd *A. Aisma*; by order of the Lords the States of *Overyssel* 2 *May* 1625. sign'd *Roelinck*; by order of the Lords the States of the City of *Groningen* and *Ommelanden*, the 28th of *April* 1625. sign'd *Eissinge*.

The

*The Declaration of the Ambassadors of James
I. King of England, upon signing the
Articles of Marriage of Charles Prince
of Wales with the Lady Henrietta Maria,
Sister to Lewis XIII. King of France.
At Paris the 20th of November 1624.*

WE under-written, the Ambassadors Extraordinary, Procurators and Deputies of the most Serene King of *Great Britain*, &c. to treat about the Marriage of the Prince of *Wales* his Son with Madam *Henrietta Maria*, Sister to the most Christian King, acknowledg and confess, That in passing the Articles of the said Treaty of Marriage, the Commissioners and Deputies of the most Christian King made some Difficulty, and did refuse to sign two Copies of the said Articles, for as much as we took upon us to put our Names first in one of them; maintaining that their Names ought to be put before ours, as well in the Dispatches to be deliver'd to them by us, that were to remain in *France*, as in the other Dispatch sign'd by them, and deliver'd to us, and to be carry'd into *England*; grounding their Pretensions upon the Dignity, Prerogative and Preeminence of the most Christian King; and alledging, That in the Treaty made in the Year 1572. at *Blois sur Loire*, this was observ'd between the Deputies of their most Christian and most Serene Majesties. To which we the Ambassadors of *Great Britain* answer'd and maintain'd on the contrary, That as to Writings deliver'd by the Ambassadors or Deputies of our Kings or Queens, to any other Prince whatsoever, nay even to Emperors, the Ambassadors or Deputies of our said Kings or Queens, always us'd to set their Names or Signatures to Papers by them deliver'd on their part before the Commissioners of other Princes; and that this

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appear'd

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appear'd by the very Originals of Treaties by them sign'd and deliver'd to the said Commissioners and Deputies of foreign Princes, and particularly by those that were made in the Year 1546. between *Henry VIII.* King of *England*, and *Francis I.* the most Christian King; in the Year 1549. between *Edward VI.* and *Henry II.* and in the Year 1559. call'd the Treaty of *Chateau-Cambresis*: in signing and sealing of all which the Commissioners of *England* were put before the Commissioners of *France*, in those that were given and deliver'd by the said Commissioners of *England*; to which we entirely refer our selves for our Direction in this matter, and agree to be determin'd by them. Whereupon it has been advis'd, That according to the antient Form and Usage by us alledg'd, the Names, Signs and Seals of the said Commissioners of the most Christian King shall be put before ours in the said Articles and other Acts that depend thereupon, which shall be given and deliver'd to us by them, and ours shall be put before theirs in the Acts that we shall deliver to them. We say moreover, that this has been usual in the like Cases, without prejudice to the foresaid Pretensions of the said Lords the Commissioners of the most Christian King; and besides, on condition it shall appear and be found, by the Treaties and Contracts formerly made between our Kings and Queens and the most Christian King (excepting nevertheless the Treaty made at *Blois* in 1572. which we say has been thus pass'd by Inadvertency and Mistake) that the Names and Signings of the Deputies of our Kings and Queens were put after those of the Deputies of the most Christian Kings; in that Case we consent and agree, that the said Articles by us sign'd and deliver'd to the said Lords Commissioners of *France* be amended in this respect, and our Names and Signings put after those of the said Lords Commissioners: upon which Conditions and Amendments the said Articles have been sign'd respectively in the Form above. In Faith and Testimony whereof we have sign'd these Presents the 20th of *November* 1624. Sign'd *Carlisle* and *Holland*, and seal'd with the Arms of the said Lords.

*The Contract of Marriage between Charles
I. King of England, and Madam Hen-
rietta Maria, Sister to Lewis XIII.
King of France. Made at Paris the 8th
of May 1625.*

IN the Name of God the Creator; Know every one present and to come, That whereas the most Christian King of *France* and *Navarre*, reigning at present, has receiv'd several Propositions on the part of *James* late King of *England* of Glorious Memory, tending to unite their Crowns more and more by an indissoluble Bond of Amity, according to the Example of many Kings their Predecessors: And the said Kings understanding not only how honourable it was for them, but likewise beneficial for all *Christendom*, that Princes of such Birth, Dignity and Grandeur should be united by the Marriage of his Majesty of *Great Britain* now reigning, then the most Serene Prince of *Wales*, and Madam *Henrietta Maria*, Sister to his said most Christian Majesty; to treat about which, the late King of *Great Britain* being desirous to see so good a Work concluded and accomplish'd, sent the Lords the Earls of *Carlisle* and *Holland*, his Ambassadors Extraordinary, with ample Powers to his said most Christian Majesty; who having deputed the Principal Ministers of his Council, viz. the Cardinal *de Rochefoucault*, Great Almoner of *France*, the Cardinal *de Richelieu*, the Cardinal *de Haligre*, Chancellor of *France*, and the Count *Schomberg*, Knight of his Orders, Counsellor in his Council of State, his Governor and Lieutenant-General in *Angoumois* and *Limosin*; the Count *d'Avilleaux-clercs* of *Montbron*, likewise Counsellor of State, and Secretary of his Majesty's Orders; he gave them Power to hear and consider the said Propositions, to treat, conclude and settle with the foresaid Ambassadors Extraordinary, the Commissioners and Deputies of the said late King of *Great Britain*, my Lords the

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Earls of *Carlisle* and *Holland*, the Articles of the said Marriage: which was done after several Meetings to the Satisfaction and with the Consent of their said Majesties. Whereupon, in presence of the most High, most Excellent and most Potent Prince *Lewis*, by the Grace of God, King of *France* and *Navarre*; the most Excellent and most Potent Princess *Mary*, by the Grace of God, Queen of *France* and *Navarre*, Mother to his said most Christian Majesty; the most High, most Excellent, and most Potent Princess *Anne*, by the same Grace of God, Queen of *France* and *Navarre*, Spouse to his said Majesty; the most High, and most Potent Prince *Monseigneur* only Brother to the King; and the most High and Potent Princess, Madam *Henrietta Maria*, Sister to his said Majesty, and the Princesses of the Blood, Cardinals, other Princes and Officers of the Crown, and the Principal Lords of the Council of his said Majesty, on the one part; and the High and Potent Lord *James Hay*, Earl of *Carlisle*, Viscount of *Doncaster*, Baron of *Saley*, Counsellor to his Majesty of *Great Britain*, in his Council of State, and Privy Council, and Knight of the most noble Order of the Garter; the High and Potent Lord *Henry Rich*, Earl of *Holland*, Baron of *Kensington*, Ambassadors Extraordinary of the most High, most Excellent, and most Potent Prince *Charles*, by the Grace of God, King of *Great Britain*, on the other part; the said Articles were read as they were drawn up and settled in the following manner and Form.

I. The said Lords Ambassadors have promis'd and do promise for his Majesty of *Great Britain* now reigning, That his said Majesty will take to Wife Madam *Henrietta Maria*, Daughter of *France*, and Sister to his said most Christian Majesty, either in Person or by Proxy, as soon as conveniently may be.

II. As likewise my said Lady, by the good Pleasure, and with Consent of his said most Christian King, and of the Queen his Mother, in consequence of the Dispensation obtain'd by his said most Christian Majesty from the Pope, promises to take for her Husband and Spouse the said King of *Great Britain*, *Charles* the First: And agreeably to the said reciprocal Promises, they shall be betroth'd according to the Form us'd in the Catholick, Apostolical and *Roman* Church.

III.

III. In consequence of which Espousals, an indissoluble Marriage shall be celebrated in *France*, according to the Order and Form that were observ'd at the Marriage of *Henry* the Great and the late Queen *Margaret*, and the late Madam her Sister with the late Duke de *Bar*.

IV. That after the said Celebration, the said Lady shall be brought into *England* the soonest that can be, and shall be conducted at the Charges of his most Christian Majesty to the City of _____ where she shall be given over to those whom his said Majesty of *Great Britain* shall appoint for that purpose. And from the said _____ into *England*, the Expences of the said Lady shall be born by his Majesty of *Great Britain*; the whole to be done on both sides sutable to the Dignity of a Princess of the Family of *France*, join'd by Marriage to the King of *Great Britain*.

V. The said Marriage being done and celebrated in *France*, it is agreed, That the said Lady being arriv'd in *England*; a Day shall be appointed wherein his said Majesty of *Great Britain* and Madam his Queen, being present in one of the Halls of the Royal Palace with Ornaments sutable to their Dignity, the present Contract of Marriage shall be publickly read, together with the Powers and Commissions by virtue whereof it was concluded; after which the said Contract shall be ratify'd anew by his said Majesty of *Great Britain*, in presence of those whom his said most Christian Majesty shall please to appoint for that effect, and of the Peers of the Kingdoms of the said King of *Great Britain*, who shall be present at this Solemnity, which shall be attended with no Ecclesiastical Ceremony.

VI. The free Exercise of the Catholick, Apostolical and *Roman* Religion is granted and allow'd to Madam, as also to all her Retinue, and to the Children of her Servants and Officers; for which effect, the said Lady shall have a Chappel in all the Royal Palaces, and in every Place of the States of the King of *Great Britain*, where she shall be and remain. That the said Chappels shall be adorn'd in the usual manner, and the Care and Keeping of them shall be committed to such as the said Lady shall ordain. The preaching of the Word of God, the Administration of the Sacraments, the Mass, and all

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Divine Offices may be freely and solemnly perform'd in the same according to the Usage of the Church of *Rome*; and even all Indulgences and Jubilees, that the said Lady shall obtain from the Pope, may be got there. There shall likewise be given a Burial-Place in the City of *London*, in which those of the said Lady's Train shall be bury'd according to the Usage of the Church of *Rome*; but this shall be done with Modesty: which Burial-Place shall be lockt up, that so it may not be profan'd.

VII. That the said Lady shall have a Bishop for her Almoner, who shall have all Jurisdiction and Authority necessary for the Matters that concern Religion; who may proceed against the Ecclesiasticks under his Charge, according to the Canonical Constitutions. And in case the secular Court seize any of the said Ecclesiasticks for any Crime that concerns the State, and Information be given against him, the said Court shall remit the said Ecclesiastick to the said Bishop, with the Charges and Informations given in against him, that so he may judge of the Crime; which Ecclesiastick being privileg'd, he shall first be degraded by the said Bishop, and then remitted to the said secular Court. And for all other Crimes, the said Ecclesiasticks shall be remitted to the foresaid Bishop, to be proceeded against according to the Canonical Constitutions: and in case of the Absence or Sicknes of the said Bishop, he whom he shall constitute his Grand Vicar shall have the same Power.

VIII. That the said Lady shall have twenty one Priests or Ecclesiasticks upon the Revenue of her House, comprehending in this number her Almoners, and Chaplains to serve in the said Chappels, according as they shall be order'd; and if any of them be Regular, they may wear their Habit.

IX. The King of *England* is bound by Oath not to endeavour in any manner to make Madam renounce her Catholick, Apostolical and *Roman* Religion, nor to persuade her to any thing contrary thereto.

X. The House of Madam shall be kept with as much Dignity, and compos'd of as great a Number of Officers as any Queen of *England* ever had.

XI. All the Domesticks whom the said Lady shall carry over into *England* shall be Catholicks and *French*, and chosen by his most Christian Majesty; and when they

they come to die, or in case Madam has a mind to change any of them, she shall take in their place other *French* or *English* Catholics, provided his Majesty of *Great Britain* consents thereto.

XII. The Domesticks shall take an Oath to the King and Madam, according to the Form which follows: *I A. B. swear and promise Fidelity to the most Serene Charles King of Great Britain, and to the Queen his Spouse, which I shall inviolably and faithfully keep; and if I know of any one's attempting any thing against the Person, Honour or Dignity of the said King or Queen, or against the States, Commonweal, or Kingdom of the said King, I will immediately declare it to the said King, or those who shall be concern'd.*

XIII. The Portion of the said Lady shall be eight Hundred Thousand Crowns, of three Livers each, *French* Mony; the half of which shall be paid by his most Christian Majesty the evening of the Marriage, in the City of *London*; and the other half in a year after, reckoning from the Day of the first Payment.

XIV. In case the King dies before Madam, without Children of their Marriage, the Portion which she shall have brought and paid, shall be entirely restor'd to her, to be dispos'd of as she pleases, whether she remain in *England*, or return to *France*: in which last Case she shall bring it along with her.

XV. But if there remain Children of the said Marriage, then only two Thirds of the Portion shall be restor'd, the other remaining immovable, whether the said Lady go over to *France*, or remain in *England*; but in that case, during her Life, the Interest of the third Part, or immovable Portion, shall be paid to the Children, at the rate of twenty Years Purchase.

XVI. The Children that shall be born of the said Marriage, shall be nurs'd and brought up from their Birth with their Mother the Queen, till they be thirteen Years of Age.

XVII. The Children of the said Marriage shall likewise inherit, after the Decease of the said Lady, two Thirds of the said Portion that shall have been restor'd, unless the said Lady shall have married a second time, and have Children of the last Marriage as well as of the first; in which case both of them shall share the

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said two Thirds of the said Portion restor'd to the said Lady.

XVIII. And in case the said Lady comes to die before the said King, without Children of the said Marriage; his most Christian Majesty agrees, That only the half of the said Portion be restor'd, and in the case of Children, that the whole Portion shall belong to them.

XIX. The said Lady shall have a Dowry of eighteen thousand Pounds Sterling a year, amounting to sixty Thousand Crowns of *French* Mony.

XX. His Majesty of *Great Britain* shall give to the said Lady, in favour of the said Marriage, to the value of fifty Thousand Crowns in Rings, which shall be fit for her and hers, such as those she has at present, and such as shall be given her hereafter.

XXI. His Majesty of *Great Britain* shall be oblig'd to maintain the said Lady and her House; and in case she should be left a Widow, she shall have her Portion, Dowry, and all other Conditions granted in her favour.

XXII. And in case the King comes to die first, having Children, or not having Children, the said Lady shall freely enjoy her Dowry, in what place soever she lives; which Dowry shall be assign'd to her in Lands, Chattels and Houses depending thereon, one of which shall be her ordinary House of Abode, and furnish'd as becomes the Quality of a Princess: And she shall have the free Disposal of the Benefits and Offices of the said Lands, one part of which shall have the Name and Title of a County or Dutchy.

XXIII. The said Lady shall be at liberty, whether she have Children or no, to return to *France*, and carry thither all her Movables, Kings and Jewels, over and above her Portion, as is above specify'd.

XXIV. The said Lady renounces all Paternal and Maternal and Collateral Successions to the Sovereign Dominions, and the Lands of the Royal Domain, liable to Reversion by Appenage or otherwise.

XXV. And the present Contract of Marriage shall be register'd in the Court of Parliament and Chamber of Accounts in *Paris*, ratify'd by both Houses of Parliament in *England*, and register'd in the ordinary Courts of Judicature: the said Kings promising not to contravene any of the Conditions stipulated in the same.

XXVI.

and Henrietta Maria of France, 1625. 245

XXVI. It is agreed, That either of the Kings that shall fail in the Fulfilment of the present Marriage, shall be bound and oblig'd to pay the Sum of four Hundred Thousand Crowns as a Penalty.

All which Articles, Pactions, Conventions, Clauses and Conditions, their said most Christian Majesties, and the said Lords Ambassadors, in the Name, and as Procurators of his said Majesty of *Great Britain*, by virtue of their Powers and Procurations, which shall be transcrib'd afterwards with the Power given by his said most Christian Majesty to the said Lords of his Council, which shall be likewise inserted at the end of these Presents, have declar'd to be acceptable to them, and have bound and oblig'd, and do bind and oblige themselves to the Observation of them, under the Mortgage of all their Goods present and to come. And the said Contract has been made, pass'd, concluded and settled at *Paris* in the Castle of the *Louvre*, sign'd by their Majesties, the said Lords and Ladies, and the said Lords Ambassadors, the other Princes, Princesses, and Officers of the Crown, and Principal Lords of Council, and countersign'd by us the Notary and Secretary of the King, the House and Crown of *France*, Counsellor, Secretary of State, and of the Orders and Finances of his said most Christian Majesty, this Day being the 8th of *May* 1625. Thus sign'd in the Minute of these Presents, *Lewis, Mary, Anne.*

Gaston, Henrietta Maria, Carlisle, Holland, H. de Montmorency, Louisa of Lorain, Anne of Montafie, Mary of Bourbon, Lomenie, and Potier.

A Treaty between Charles I. King of Great Britain, and the United Provinces of the Low-Countries, for joining twenty Dutch Men of War to the English Fleet, consisting of Eighty two Ships, for attacking Cadiz; which however came to nothing. At the Hague, the 2d of August 1625.

WHEREAS the most Serene King of *Great Britain* has equip'd a Fleet of Eighty two Men of War, furnish'd with Artillery, and all sorts of necessary Ammunition and Provisions, under an Admiral, Vice-Admiral, and other Captains and Officers, with a great Number of Seamen and Soldiers; to which Royal Fleet the Lords the States General of the *United Provinces* will join other twenty Ships, by them equip'd, arm'd and provided likewise with Artillery, all sorts of necessary Ammunition and Provisions, with their Commanders, Captains, and Seamen in proper Quality and Number, that these two Fleets may be united, and put to Sea upon a certain Voyage and Expedition design'd by his Majesty for the Damage of the common Enemy; and it being necessary that every thing be carry'd on with good Order and Correspondence, that so it may be the most useful and serviceable that may be, without Disturbance, Disorder or Confusion: after Conferences held thereupon between *Dudley Carleton* Knight, Ambassador in Ordinary from the said Lord the King, and the Lords Deputies of the said Lords the States; it has been agreed, That the said twenty Men of War of the Lords the States shall make a Squadron by themselves, and shall be conducted and commanded by their Admiral, Vice and Rear-Admirals, under their Banners or
Flags,

Flags, according to the Order and Usage of the other Fleets and Men of War of the Kingdom of *England*, and of these Provinces; but so that the said Admiral shall receive and follow the Orders and Commands of the Admiral or General of the Royal Fleet, which he shall impart to the said Vice and Rear-Admiral, and other Captains and Officers of the said twenty Men of War.

That the Admiral, and Vice-Admiral of the said twenty Men of War shall sit, vote, deliberate and resolve in the General Council of the Fleet, the said Admiral after, and next to the Admiral of his Majesty's Fleet, and the Vice-Admiral in such Place and Order after the Vice-Admiral of *England*, as shall afterwards be assign'd him agreeably and according to Reason, when all the Officers of the Royal Fleet shall be together. That the said twenty Men of War shall for their share have the fifth Part of all the Conquests that shall be made on Sea, or in the Ports and Harbours of the Enemy, of Ships, their Equipages and Appurtenances, of Spoils, Gold, Silver, Merchandizes, and all other things whatsoever. Thus agreed and concluded at the *Hague*, between the said Lord Ambassador *Carleton*, and the said Lords Deputies. In Testimony whereof, this Act is by them sign'd the 2d of *August* 1625. *Dudley Carleton, Nicolas van Bouchorst, S. van Beaumont, Gilbert van Boetslaer, S. van Haersolte.*

A Treaty of a League Offensive and Defensive between Charles I. King of Great Britain, and the United Provinces of the Low Countries. At Southampton, the 17th of September 1625.

THE States General of the *United Provinces* of the *Low-Countries*; To all who shall see these Presents, Greeting. Whereas on the 17th of September this present Year 1625. a Treaty of Alliance of a League Offensive and Defensive has been made, and agreed at *Southampton*, between the Lords Commissioners of the most Serene King of *Great Britain*, in the Name of the said King and his Kingdoms, and the Ambassadors by us sent to his said Majesty in our Name, and in that of our Commonwealth, the Tenor whereof follows.

That whereas by a common Effort to stop the Progress of the unjust Usurpations of the King of *Spain*, and his ambitious Enterprizes, whereby he daily troubles the Repose and States of the Kings and Princes of *Europe*, and particularly that of the *United Provinces* of the *Low-Countries*; the most High, most Excellent, and most Potent Prince *Charles*, by the Grace of God, King of *Great Britain*, *France* and *Ireland*, Defender of the Faith, &c. hath earnestly requir'd the High and Mighty Lords the States General of the said *United Provinces* of the *Low-Countries*, by the means of *Francis van Aerfsen* Knight, Lord of *Sommelsdijke* and *Plate*; *Albert Jaachimi*, likewise Knight, Lord of *Ostend* and *Odekenkercke*; and *Rienck van Bursmania* at *Fervert*, Grietman of *Ferverderudeel*, Ambassadors at the Court of his said Majesty from the said Lords the States, to enter with them into a more strict Confederacy, and into a League Offensive and Defensive against the said King of *Spain* and his Adherents: His said Majesty of
Great

Great Britain, &c. in continuation of the Affection and Concern which the Kings and Queens his Predecessors, and especially the late King of Glorious Memory, his most Honoured Lord and Father, have always had for the Preservation and Subsisting of the said *United Provinces* against the King of *Spain*, and the Enemies of their Liberty; as also in consideration of the great Assurances and Succours that have been given them from time to time, as well by Queen *Elizabeth*, as by the said Lord the King, his Majesty's Father, for the entire Re-establishment of his most Dear Brother, the most Serene Prince, *Frederick* Elector Palatine of the *Rhine*, and his Hereditary Estates, Possessions and Dignities, of which he has been unjustly dispossest by the said King of *Spain* and his Adherents: His Majesty having nam'd and appointed the Lords *James* Baron *Ley*, his Lord High Treasurer of *England*; *George* Duke of *Buckingham*, Lord High Admiral of *England*; *William* Earl of *Pembroke*, Lord High Chamberlain; *James* Earl of *Carlisle*; *Henry* Earl of *Holland*; *Edward* Baron *Conway*, first Secretary of State; *Foulke* Baron *Brooke*; *Robert Naunton* Knight, Master of the Great Wardrobe; *Albert Morton* Knight, his Majesty's other Secretary of State; and *Richard Weston* Knight, Chancellor of his Exchequer, or any six of them, all and every one of them Counsellors in his Cabinet and Privy Council, and warranted with sufficient Power; a Copy whereof shall be inserted at the End of this present Treaty, to treat, agree and conclude with the said Lords Ambassadors of the said Lords the States warranted also with sufficient Power, a Copy whereof shall also be inserted after the said Lords Commissioners of his said Majesty, a League Offensive and Defensive between his said Majesty, and the said Lords the States, against the said King of *Spain*, and his Adherents; which Commissioners of his said Majesty, and Ambassadors of the said Lords the States, after many Assemblies and Deliberations held on that Subject, have agreed, concluded and settled the following Points and Articles.

I. There shall be an Alliance of a League Offensive and Defensive between his said Majesty on the one side, and the said Lords the States on the other side, in order to set upon the King of *Spain* with open War in all his Kingdoms

Kingdoms and Lands, and against all his Subjects and Rights in all Places, on this and the other side the Line, by Sea and Land.

II. Which Alliance shall last as long as the King of *Spain* shall continue to make Pretences by War, Hostility, and other ambitious means, upon the Liberty and Rights of the said *United Provinces*, and as long as the Electoral Dignity, Lands, and other Patrimonial Estates of the *Palatinate* shall remain in his Possession, or that of his Adherents, at least for the space of fifteen years.

III. And neither his Majesty of *Great Britain*, &c. nor the said Lords the States, may treat with the said King of *Spain*, or his Adherents, in the said space of fifteen years next ensuing, counting from the day of the present Convention, about a Peace, Truce, or Cessation of Arms; nor enter into any other Negotiation tending to any such end, directly or indirectly; nor quit or renounce the present Alliance but by common Advice and Consent. And his said Majesty, and the said Lords the States, shall be bound to declare themselves upon the Continuation of the present Alliance, one year before the fore-said space of fifteen years come to expire.

IV. All Kings, Princes, Republicks, Cities and Communities shall be receiv'd into this Alliance, who are interested in this Cause, and are desirous thereof upon equitable Terms; who shall be solemnly requir'd thereto by an express Deputation from his said Majesty, and the said Lords the States, separately or conjunctly, within three months after the Conclusion of the present Treaty, and sooner if possible.

V. There shall be a good and sincere Correspondence for the mutual Defence of the Kingdoms, States and Subjects of both sides, between his said Majesty and the said Lords the States, who shall be respectively bound to procure, to the utmost of their Power, the Good, Safety and Advantage of both sides, as also to promote the Damage, Weakning and Ruin of the said King of *Spain*, their common Enemy.

VI. Which common Enemy his said Majesty, and the said Lords the States, shall be oblig'd to attack with all their Power by Sea and Land, and shall for this end equip and keep up one, two or more Fleets, whereby they shall invade and infest him, either by a Descent up-

on his Lands, or by other Attacks in all his Ports and Islands, with so much Vigour, that the Communication of the Sea, the Commerce throughout *Europe*, the Trade of the two *Indies*, and especially the annual Return of his Fleets from thence, may be ruin'd and cut off.

VII. And in order to undertake such a Design with Concert, and with a regular and divided Expende, without leaving it wholly to his said Majesty, or the said Lords the States alone; it has been agreed, that his said Majesty of *Great Britain*, &c. shall have a good number of Ships equip'd and arm'd on the Coasts and Isles of *Spain*, to stop up the Mouths of the Rivers of *Lisbon*, *Sr. Lucar*, and the Bay of *Cadiz*, as much as possible. And in like manner the said Lords the States shall be oblig'd, on their part, to do the same on the Coasts of *Flanders*, to keep the Ports shut, and the Sea free from Piracies as much as possible.

VIII. But if besides this it shall be found necessary, in order to make a brisker Impression, and employ the King of *Spain* more sensibly in his Kingdoms and States, to set out a greater Fleet, with a regular and concerted Design, between his said Majesty and the said Lords the States: In such case the said Lords the States shall be oblig'd to contribute one fourth part of the Ships which his said Majesty shall put to Sea, equip'd, arm'd and furnish'd with Ammunition and Provisions, for a like time, and of the same Size and Rate with those of his Majesty.

IX. His Majesty shall have the Command over this whole Fleet, by his Admiral or Vice-Admiral: yet nevertheless it has been agreed, that the Admiral or Vice-Admiral who shall command the Fleet of the said Lords the States, when they shall be join'd to that of his Majesty, may hang out a second Flag, assisted with some old Captains, and have a Vote at all Deliberations of the Council of War; and that the Command over the said Fleet of the said Lords, shall be mediately, and thro the Intervention of the Admiral or Vice-Admiral of the said Lords the States. Which said Admiral or Vice-Admiral of the said Lords the States shall have full Authority over their Officers, Soldiers and Seamen, when any Dispute arises among them; but if any Dispute or Controversy should arise between any of his said Majesty's Fleet, and any of that of the said Lords the States, the Difference shall

shall be examin'd and decided according to the Laws and Orders given by the Admiral or Vice-Admiral of his Majesty's Fleet in a Council of War.

X. That in all Expeditions that shall be undertaken to force Harbours, go up Rivers, attack the Enemies Ships, or in any other Actions of like Danger and Nature, this Order shall be observ'd, That there shall not be a greater number of the Ships of the said Lords the States employ'd, than proportionably to that of his said Majesty, according to the quantity of Succours, if it be not otherwise resolv'd by the common Consent of the principal Officers of both sides.

XI. If the one or the other Fleet should come to want Aid and Assistance of Provisions, Ammunition, Sails, or other things, the Admirals shall assist them, if they can, at a reasonable Price, or on condition of Repayment on the Return of the Fleets, at the Choice and Option of those that shall have demanded it.

XII. If these Fleets thus join'd and arm'd shall take any Prize from the common Enemy by Sea or Land, whether Men, Ships, Gold, Silver, Merchandizes, or any other movable Goods, there shall be made immediately an Estimate and Register of all such Prizes, in presence of all the Officers of both Fleets *bona fide*, and without hiding or putting any thing out of the way; which shall afterwards be divided according to Equity, and in proportion to the Number and Size of the Ships which his said Majesty or the said Lords the States shall have really and actually furnish'd to make up their common Fleet; notwithstanding it might have happen'd that, at taking the Prize, none of the Ships of his said Majesty, or *vice versa*, of the said Lords the States, had been present, provided that such Prizes shall have been taken by a part of the Ships of the common Fleet.

XIII. But if his said Majesty of *Great Britain*, &c. should think good to embark at his own Expence a good Army, and make a Descent upon any of the Lands or Countries of the Enemy, in order to invade the same, or take a Town or strong Place, to secure his Army in a safe and commodious Place, for favouring his Designs; it is agreed, That all such Possessions by Land shall belong to, and remain purely and simply with his said Majesty,

jeſty, even altho the Fleet of the ſaid Lords the States may have aided and aſſiſted therein.

XIV. But it muſt be well obſerv'd nevertheleſs, That if the Subjects of the ſaid Lords the States be preſent at and concern'd in the Execution of ſuch Deſcent, they ſhall alſo have their ſhare of the Booty and Movables, in proportion of their number to that of the Subjects of his ſaid Majeſty, to whom alone ſhall remain all the immovable Acquiſitions of Iſles, Towns and Lands.

XV. Such as ſhall have the Commiſſion of his ſaid Majeſty of *Great Britain*, or of the ſaid Lords the States, may, by virtue of this Alliance, purſue, fight, take, and carry away their Enemies wherever they happen to meet with them, even in the Roads, Mouths of Rivers and Sea-Ports on both ſides; on condition that ſuch as ſhall have been taken in the ſaid Roads, Mouths of Rivers or Sea-Ports, may not be carry'd away till they have firſt paid the Dues, Duties and Cuſtoms to thoſe to whom they belong: Which Ports and Roads of his ſaid Majeſty, and of the ſaid Lords the States, ſhall be open and free to the Ships of War, and Merchant-Ships of both ſides, ſo that they may enter into, remain and ride in, and depart from them without any Impediment; however thoſe Ships ſhall be oblig'd to obſerve the Laws, Rights and Cuſtoms of the Places where they ſhall be.

XVI. If any Merchant-Ships belonging to his ſaid Majeſty, or to the ſaid Lords the States, ſhall, either thro Storm, Purſuit of Pirates, or any other Conſtraint or Miſfortune, take ſhelter in the Countries of his ſaid Majeſty, or of the ſaid Lords the States, they ſhall be at liberty to depart when they pleaſe, without being bound to come in, to exchange or ſell their Merchandizes, or pay any Duties for them.

XVII. The Captains of Men of War of his ſaid Majeſty, or of the ſaid Lords the States, ſent to Sea with private Commiſſions from their Sovereigns, and not comprehended in the Body of the ſaid common Fleet, may, in like manner, bring into the Ports of his ſaid Majeſty, and of the ſaid Lords the States, with all Safety, their Prizes taken from the common Enemy, and afterwards carry them freely from thence as they pleaſe, to bring them to the Place they are order'd by their Commiſſion, without being oblig'd to notify the ſaid
Prizes

Prizes to the Officers of the Place, or pay them any Duties; but on condition nevertheless that they show their Commissions, if they are thereto requir'd by the said Officers.

XVIII. If during the present Confederacy any Ships, by Tempest, or any other Misfortune, happen to run aground, or be lost on the Coasts of his said Majesty of *Great Britain*, &c. or upon those of the said Lords the States; such Ships or their Wrecks may be claim'd and demanded by those to whom of right they belong, or who have the Care and Charge of them; and they shall be restor'd to them without any other Form of Process, only paying the Duties and Customs of the Places.

XIX. If upon such, or a like Occurrence, there should happen any Dispute between the Subjects of the one and the other side, the Officers of the Places shall be oblig'd to do them speedy Justice, without drawing the matter into length by any Formality of Process.

XX. All Contraband Goods, such as Ammunition and Provisions, Ships, Arms, Sails, Cordages, Gold, Silver, Copper, Iron, Lead, and the like, design'd to be carry'd by any one from any Port into *Spain*, or into any other Dominions under the Obedience of the said King of *Spain*, or his Adherents, shall be good Prize, together with the Men and Ships that carry them.

XXI. His said Majesty shall deal with other neutral Kings, Princes, States, Towns and Communities, to forbid their Subjects to trade, during this present War, with the Kingdoms and other Possessions of the said King of *Spain*, and of his Adherents, that so they may not run any hazard.

XXII. Which if it cannot be obtain'd, it is agreed, that the Ships which shall be found at Sea, and suspected of taking their Course towards *Spain*, the Isles, or other States of the said King of *Spain*, and his Adherents, shall be oblig'd to stop, to be known and visited, but not retarded or endamag'd.

XXIII. Trade or Commerce shall in the mean while be open and allow'd every where else, thro the Kingdoms, Towns, Lands and Countries of Allies, and of confederated and neutral Princes, without Interruption or Disturbance.

XXIV.

XXIV. In like manner his said Majesty, and the said States may be furnish'd out of the Countries of one another with all sorts of Ammunition, Arms, Cordage, Sails and Victuals, for the necessary Equipage of their Fleets, without being oblig'd to pay for the Purchase and Transportation thereof, more than those of the Country in which such Purchases are made.

XXV. His Majesty shall treat the said Lords the States as Friends and Neighbours ally'd with him in a strict Alliance, in what concerns the Traffick of Artillery; allowing them to buy and transport out of his Kingdoms such Provision of Artillery, at such a Price, and on such Conditions, as the other Allies of his Majesty, or his own Subjects, are wont to have them.

XXVI. And before his said Majesty, or the said States, shall separately or together come to discover new Methods and proper Expedients, more powerfully to annoy the said King of *Spain* by Sea, than those that have been agreed on in this Treaty, and require to adjust their Enterprizes with common Deliberation and Advice; it is agreed, That they shall communicate and concert the same when they shall think good, by an expresse Deputation and Message, if they think it useful and proper.

XXVII. And as it has been said, That the King of *Spain* should be attack'd and assaulted with open War, and all manner of Hostility by Sea and Land, his said Majesty, and the said Lords the States, shall be oblig'd separately, and each of them at their own Charge and Expence, to raise a strong Army of Horse and Foot, properly arm'd, and plentifully furnish'd with every thing that shall be necessary to support it, and render it capable to assault the common Enemy, as well in the Field, as in fortify'd Towns, by Sieges, Stratagems, or otherwise.

XXVIII. Which said Army, on the part of his said Majesty of *Great Britain*, &c. must not be less than from Twenty Five to Thirty Thousand Foot, compleatly arm'd with Musquets and Pikes, and from four to five Thousand Cuirassiers, with a Train of Artillery and Carriages, and other Ammunition proportionable.

XXIX. And the said Lords the States shall, on their part, also make an Effort in like manner, to draw together an Army consisting of a like number of Infantry
and

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and Cavalry, with a full Train of Cannon, and all that commonly and necessarily belongs thereto.

XXX. His said Majesty, and the said Lords the States, shall afterwards advise between themselves about the proper time of sending their Armies together into the Field; and for that end they shall mutually communicate their Designs to one another, thereby the more commodiously to divert and distract the Forces of their Enemy in several Places.

XXXI. To do which they promise, each of them, to carry on the War in such a manner, as to them shall seem best for the procuring of the Security, Ease and Advantage of one another, for that end keeping up an ordinary and very faithful Correspondence together.

XXXII. In case that for transporting his Army and Provisions, his said Majesty should want a certain number of Ships fit for that purpose, the said Lords the States shall be oblig'd readily to accommodate him therewith upon reasonable Conditions, being timely advertis'd thereof, in order to agree with the Proprietors of the Ships to be hir'd.

XXXIII. The Conquests that shall be made by the one or the other Army, shall remain entirely to that Army that shall have made them.

XXXIV. And his said Majesty, upon his Need and Desire, shall be furnish'd with Ships, Arms, Ammunition and Provisions, and other Materials and Necessaries, within the *United Provinces*, if he pays for them.

XXXV. These Armies shall not quit the Field till his said Majesty and the said Lords the States shall advise together, nor be lessen'd but by common Consent; but the Commanders of both shall be oblig'd to keep them strong and compleat, and strengthen them from time to time with new Recruits.

XXXVI. If the Enemy should turn their whole Forces against one of the Confederates, the other shall be oblig'd to remove his Army immediately, if it be not engag'd, and employ it in the Country and Place where they can annoy the Enemy most sensibly; if they do not esteem it more safe, and be rather inclin'd to march presently to the Assistance of the other, in order, if possible, to hem in the Enemy betwixt the two Armies.

XXXVII.

XXXVII. His said Majesty, and the said Lords the States, shall treat afterwards about the Order of the Contributions that shall be rais'd in the Countries and States of the Enemy.

XXXVIII. If the one or the other Army comes to be press'd, his Majesty, and the said Lords the States, shall mutually assist one another, if possible, with as many Men as their own proper Safety will permit.

XXXIX. All Letters of Reprizal, Mark and Arrest, or any such like, that have been formerly granted, and issu'd against the Subjects of either of the Confederates, for any reason whatsoever, shall cease on both sides, and are from henceforth, and shall remain null and void; and for the future none shall be granted, but Justice shall be render'd and administer'd according as Law and Equity shall require.

XL. It is not intended or understood by the present Alliance, or by any words therein contain'd, general or special, that there should be any Innovation, Interruption or Change in the Liberty and Freedom of Navigation and Commerce, in the Kingdoms, States and Countries of his said Majesty, or of the said Lords the States, or of other ally'd and neutral Kings, Princes, Towns or Friends, nor in the Laws and Customs of Admiralties, Payments of Duties, Imposts, Subsidies, or Taxes on either side, nor in the Duties call'd *Customs* in *England*. But it hath been expressly agreed, that the said Freedom, Duties, Imposts, Laws, Customs and Payments aforesaid shall remain in their full and entire Force and Virtue, as they were the day preceding the Conclusion of the present Treaty.

Which Conventions, Pactions and Articles agreed above, and every one of them, have been treated, stipulated, agreed and pass'd between the said Commissioners of his said Majesty, and the said Lords Ambassadors of the said Lords the States General; promising *bona fide*, and obliging themselves by virtue of these Presents respectively, that within three months next coming, or sooner, if possible, they shall obtain (*viz.* the Lords Commissioners of his said Majesty to the Lords Ambassadors of the said Lords the States General, and the Ambassadors of the said Lords the States to the said Lords

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Commissioners of his said Majesty) the special Declaration of the Will and Pleasure of their Sovereigns upon this Treaty, or Letters of Ratification, in sufficient and valid Form.

In Faith and Testimony of all which Paſſions, Conventions and Articles, the ſaid Lords Commissioners and Lords Ambaſſadors have ſign'd this preſent Treaty, and thereto affix'd the Seal of their Arms. Done in the Town of Southampton this 7th day of September, in the year 1625. *Stilo Anglicano.*

Then follow'd the Tenour of the Commiſſions. Charles, by the Grace of God, &c. dated Titchfield, the 25th of Auguſt, 1625. and lower, Charles Rex. Then follow'd the Powers or Commiſſion of the States General, dated at the Hague the 12th of June, 1625. *S. Beaumont vidit*; and on the Fold, by Order of the Lords the States General, *J. van Goch*. Sign'd and ſeal'd as follows, James Ley, G. Buckingham, Pembroke, Carliſle, Holland, E. Conway, R. Weſton; Francis van Aerſſen, Alb. Joachimi, R. V. Burmania.

The Ratification of the Lords the States General was ſign'd at the Hague the 14th of December, 1625. ſign'd, *Varwer vidit*; and upon the Fold was written, by Order of the ſaid Lords the States General, ſign'd *J. van Goch*.

The Ratification of the King was ſign'd the 25th of December, 1625. dated Carew; and lower, Charles Rex.

A Treaty between Charles I. King of Great Britain, and the Mayor, Sheriffs, Peers, Burgeſſes and Inhabitants of the Town of Rochel; made by their Deputies the 28th of January, 1628.

THE Deputies being warranted with good and ample Powers, being introduc'd to his moſt Serene Maſteſty, and having humbly pray'd him, that he would be pleas'd to take and receive the People of the ſaid Town under his Protection and Safeguard, and make them partake of the Effects thereof, by an Aſſiſtance worthy of his Maſteſty, by means whereof they might be deliver'd from the Oppreſſion which they ſuffer at preſent, and be held in the good Graces of their Prince, the moſt Chriſtian King, to enjoy a good and ſafe Peace: His Maſteſty being favourably inclin'd to that Requeſt, hath granted them the ſaid Protection, and the following Conditions thereof have been reciprocally ſtipulated.

I. That as to the ſaid *Rochellers*, they ſhall afford all the Aid and Favour they poſſibly can, for the Advance-ment and happy Succeſs of his Maſteſty's Arms, by equip- ping as many Men of War as they are able, to favour the execution of his Arms by Sea, and furniſh him with experienc'd Pilots. And as to what concerns their neigh- bouring Coaſts, and the Mouths of Rivers, they ſhall find Magazines in their Town (for prevention, and in order to comply with his Maſteſty's Commands to thoſe whom he ſhall ſend upon ſuch an Expedition) and proper Places to erect a Storehouſe in, and all other ſorts of Proviſions, if it ſhall be thought convenient; and ſhall receive the Ships which a Storm ſhall force in to them, or which ſhall be driven thro any other neceſſity; and in caſe his Maſteſty's Army ſhould be preſs'd, they ſhall give it Harbour and Shelter, and provide for its Safety.

II. That the said *Rochellers* shall not listen to any particular Accommodation, nor hearken to any Treaty of Peace, but to the Liking, and with the entire Consent of his most Serene Majesty.

III. That in case *France* should make any Attempt on the States of his most Serene Majesty, upon the account of the said Assistance which he promises at present, the said *Rochellers* shall declare in his favour, and with all their Power divert the Designs that may be form'd to his Prejudice. That in Faith and Security hereof the said Deputies shall from this present promise, in name of the said *Rochellers*, and oblige themselves to obtain their Ratification, and the solemn Oath of the Mayor, Sheriffs and Peers of the Town-House for this Effect; as also of all the Burgeesses Extraordinary assembled for that purpose.

IV. As to his most Serene Majesty, he promises them, on the word of a King, to assist them at his own proper Charge and Expence, as well by Sea as Land, according to his Royal Power, till he has deliver'd them from the Forts in the Isle of *Rhee*, and round their Town, and obtain'd a Peace for them.

V. That for that effect he will presently raise a powerful Army, in order this Spring to execute something worthy of his Majesty, whereby the Designs that are form'd against the Town may be diverted, and the Troops which press them may be oblig'd to desist, till at last they be entirely deliver'd, by the happy Success that it shall please God to give to his Army.

VI. That his Majesty shall, as long as the War continues, assist the said Town with such a number of Soldiers, as he shall judge necessary to preserve it; the said Soldiers to be paid by his Majesty.

VII. That his Majesty shall permit as well his own Subjects, as the Inhabitants of the said Town, to lade in all his States all the Provisions that it shall stand in need of; and shall therefore expedite Letters Patent in authentic Form, which shall be sent to all the Ports and Harbours, that so by virtue of these, without any other particular Passport, the Merchants may freely make their Purchase, and not be molested in transporting thereof.

VIII. That his said Majesty shall presently send off, with a sufficient Convoy, the Corn and other Provisions

..... that

that shall be laded by his Command, that so they may be carry'd as soon as possible to the said Town, and there sold at a reasonable Price.

IX. That in order to relieve the Poverty of the said Town, and supply its most pressing Necessities, his Majesty shall allow a Collection to be made in his States, and presently give out such Orders as shall be necessary for that end.

X. That certain Articles of a Treaty having been drawn up between the Duke of *Buckingham*, his High Admiral, and the said *Rochellers*, some of which he granted by the good Pleasure of his Majesty, and refer'd others to a more particular Conference; his Majesty from this present agrees, and holds for good and valid those that the said Lord High Admiral has agreed; and as to the rest, he shall dispatch them as soon as possible, in order thereby to give all the just Satisfaction to the said *Rochellers* they can expect.

XI. In fine, That in case his said Majesty should afterwards listen to any one to talk of Peace with the said most Christian King, the said *Rochellers* shall be invited thereto, and no Treaty shall be concluded without expressly stipulating their Immunities and Privileges, according to the Memoirs they shall give of them. His Majesty, besides, obliges himself to be their Guarantee for the said Treaty.

XII. And as to his most Serene Majesty, being mov'd with a Concern and Affection which he has always had for the Churches, and particularly for the City of *Rochel*, he promises, on the Faith and Word of a King, to give them all convenient Assistance, till they can obtain a firm and good Peace.

Two Letters of King Charles I. to the Mayor, Sheriffs, Peers and Burgesses of the City of Rochel.

GENTLEMEN,

BE not discourag'd, tho my Fleet be return'd. Hold out to the last, for I am resolv'd that my whole Fleet shall perish, rather than you be not reliev'd. For this

262 K, Charles's Letters to the Rochellers.

this effect I have order'd it to return back to your Coasts;
and am sending several Ships to reinforce it. With the
help of God the Success shall be happy for you.

At Westminster, May 19.
O. S. 1628.

Your Good Friend,

CHARLES R.

The other Letter, directed as before, runs thus :

GENTLEMEN,

I Have been very much troubled to hear that my Fleet
was upon the Point of returning home, without obey-
ing my Orders, in supplying you with Provisions, cost
what it will. I have commanded them to return to your
Road, and not to come away until you are supply'd, or
at least till they are reinforc'd, which I have order'd to
be done with all Diligence. Assure your selves that I
shall never abandon you, and that I shall employ the
whole Power of my Kingdom for your Deliverance, un-
til God assist me to obtain for you an assur'd Peace.

Given at our Palace at
Westminster, May
27. O. S. 1628.

Your Good Friend,

CHARLES R.

A

A Treaty of Confederacy and Alliance for Six Years, between Pope Urban VIII. Lewis XIII. King of France, the Commonwealth of Venice, and the Duke of Mantua, for the Defence of their States against the House of Austria. At Venice the 28th of April, 1629.

In the Name of the most Holy Trinity, and of the Glorious Virgin Mary.

I. **T**HE Oppression of the Duke of *Mantua* by the *Spaniards*, having constrain'd the King of *France* to quit his own Affairs, to come in Person with 30000 Foot and 3000 Horse to assist the said Duke, as he was invited thereto by several Christian Princes, and particularly by those who hold the principal States of *Italy*, who have reciprocally promis'd him to concur therein on their part with all their Forces and Arms; his Holiness, his most Christian Majesty, the most Serene Republick of *Venice*, united for the Succour of the said Duke, without any other Interest than to protect their Allies, and to procure the Quiet of *Italy* and of all *Christendom*, considering that it is not sufficient presently to unite their Arms for the Succour of the States of the said Duke of *Mantua*; but that it is likewise altogether necessary to hinder any such Inconveniences from happening for the future to the prejudice of the Safety of all the Princes and of the Peace of *Christendom*, have esteem'd it most important to make a League and Union among themselves and the said Duke of *Mantua*, according to the Convention of the following Articles, for six Years, saving to themselves the liberty of prolonging them afterwards, according to the

264 *Treaty between the Pope, France,*

good Pleasure of the Confederates. They are therefore bound and oblig'd, in case any of them should be offended in a hostile manner, in their States, by any one whatsoever, and especially by the House of *Austria*, in consequence of the present Union, to take up Arms, or for any other reason, to employ their Force for the Defence of one another, and never to abandon the Defence of him who shall be attack'd, until the Hostility entirely cease. In that case his Holiness shall contribute Eight Thousand Foot, and Eight Hundred Horse; his Majesty Twenty Thousand Foot, and Two Thousand Horse; the most Serene Republick of *Venice* Twelve Thousand Foot, and Twelve Hundred Horse; and the said Duke of *Man-tua* Five Thousand Foot, and Five Hundred Horse. And in case *France* furnish a greater and more powerful Army than she does on this present occasion, the Confederates shall likewise furnish more powerful Forces in proportion as above; all which Troops shall be maintain'd and provided of all things necessary, as Victuals, Artillery, Ammunition, at the Expence of those who shall set them on foot; and that as long as the Hostility shall continue, and until he who shall be attack'd be put in the same State he is at present. That if there should not be need of so many Troops for this effect, each of the foresaid Confederates shall diminish the number he is oblig'd to furnish in proportion to the others, and that by common Consent. And in order to give the speediest Succour to him who shall be attack'd, those nearest him shall furnish him without Delay all the Assistance they are able, with respect to the things above-specify'd, as Men, Provisions, Artillery, Ammunitions and Money, without waiting for the Assistance of those at a greater distance, who shall nevertheless be oblig'd to contribute with all possible Diligence what they have engag'd for.

II. And if it happens in the Progress of their Arms, taken up for their common Preservation, that they be oblig'd to turn their Defence to an Attack; and that in that case they conquer any Places or State, the Share and Division thereof shall be made among them, according as they themselves, or the greatest part of them, shall find reasonable, considering withal which of them contributed most thereto.

III. And

III. And that this present Union, which is founded upon Causes so just and so important to the publick Tranquillity, may be the more considerable, and may the better obtain the End of its Institution, and be compos'd of a greater number of Princes and Potentates, the Confederates shall invite other Princes, who have a common Interest, to enter thereinto the most speedily and effectually they can: Into which Confederacy they shall be receiv'd within six months, on condition to furnish for the foresaid end proportionably, according as it shall be settled. Given at *Venice* the 8th day of *April*, 1629. and lower it is written, *For his Majesty, with express Power*, Cl. de Mesmes; and below, the most Serene Republick of *Venice*, *Andrea Soriano* Secretary.

The King having seen the Treaty of League for the Preservation of *Italy*, settled, concluded and sign'd between the *Sieur D'Avaux*, Counsellor to his said Majesty in his Council of State, and his Ambassador in Ordinary at *Venice* on his part, and the said Republick on the other part, the 8th day of this present month of *April*, his Majesty has agreed, approv'd and ratify'd the Contents of the said Treaty, according as it is written above; promising *bona fide*, and on the word of a King, to keep, observe and maintain it in all its Points, without contravening it in any manner. In Testimony whereof his Majesty has sign'd these Presents with his own Hand, and caus'd them to be counter-sign'd by me Counsellor, Secretary of State, and of his Orders, and made the Seal of his Arms to be affix'd thereto. Done at the Camp of *Suza*, the 19th of *April*, 1629.

*A Treaty of Peace and Confederacy between
Lewis XIII. King of France, and
Charles I. King of England, made at
Suza the 24th of April, 1629.*

I. **T**HE two Kings shall agree to renew the antient Alliances between the two Crowns, and to preserve them inviolably, together with opening a safe and free Commerce. And with regard to the said Commerce, if there be any thing to be added or taken away, that shall be done by the mutual Consent and Liking of both Parties, according as it shall be judg'd proper.

II. And forasmuch as it would be difficult to make Restitution on both sides, of the divers Prizes that have been taken, and Seizures made during the War, the two Crowns have agreed, that none shall be made, nor shall any Reprizal be granted by Sea, or in any other manner, for any thing that has pass'd between the two Kings and their Subjects during this last War.

III. As to what concerns the Articles and Contract of Marriage between the said King and Queen of *Great Britain*, they shall be confirm'd *bona fide*.

IV. And as to what concerns the Queen's House, if there be any thing to be added or taken away, that shall be done by the mutual Consent of both sides, according as it shall be judg'd most proper for the Service of the said Queen.

V. All the antient Alliances, as well of the one as of the other Crown, shall remain in their Vigour, without any Alteration made by the present Treaty.

VI. The two Kings being by this Treaty replac'd in their former Friendship, Affection and Correspondence, shall respectively employ themselves, in giving Assistance to their Allies and Friends, according as the Situation of Affairs, and the Advantage of the Publick Good shall require and permit; the whole on design to procure the

entire Quiet of *Christendom*, for which the Ambassadors of both Crowns shall be furnish'd with Propositions and Overtures.

VIII. And forasmuch as there are several Ships out at Sea, with Letters of Mark, and Power to fight the Enemy, who cannot hear of this Peace so early, nor receive Orders to desist from all Hostilities; it shall be agreed by this Article, that whatever happens for the space of two months after this Agreement is made, shall not derogate from, nor hinder this Peace, nor the good Will of these two Crowns; on condition however, that what is taken in the space of those two months, after the signing of this Treaty, shall be restor'd on both sides.

IX. The two Kings shall sign the present Articles the 24th of this present month of *April*, which shall be consign'd in the mean time, by their Command, into the hands of the Sieurs the Ambassadors of *Venice*, *George Georgy* and *Lewis Contarin*, residing at their Courts, in order to have them reciprocally deliver'd to the said two Kings on a set day, as soon as each of them shall have known from the other that they have the said Articles in their hands. And from the day of signing, all Acts of Hostility, as well by Sea as by Land, shall cease, and the Proclamations necessary for that effect shall be made the 20th day of *May* in both their Kingdoms. And on the first day of *June* next, the two Kings shall order their Ambassadors, the one to be at *Calais*, and the other at *Dover*, to go over at the same time, the one to *England*, and the other to *France*. Done at *Susa* the 24th day of *April*, 1629.

*The Declaration of the King of France, for the
Re-establishment of Commerce with England.
Given in the Camp of Alezo, the 23d day of
June, 1629.*

LEWIS, by the Grace of God, King of *France* and *Navarre*: To all who shall see these Presents, Greeting. Altho by the Publication, which we have already order'd to be made thro our whole Kingdom, Countries, Lands and Dominions under our Obedience, of the Peace settled between us and the King of *Great Britain*, our most dear and most beloved good Brother and Brother-in-law, it be expressly signify'd, That Trade and Commerce shall, for the future, be safe and free between our Subjects and his by Sea and Land, as it was before the last War; nevertheless we have thought it proper, that so none might doubt of our Inclinations in this matter, to dispatch our express Letters of Declaration, that so our Subjects, invited by the new Publication that shall be made thereof by our said Letters, may the more willingly begin their Trade and Commerce a-new, which they were wont to have with the *English*: We for these, and other Causes moving us thereto, have said and declar'd, do say and declare by these Presents, sign'd with our own Hand, that our Will and Intention is, That for the future there be a sure and free Commerce and Trade, both by Sea and Land, between our Subjects, and those of our said good Brother and Brother-in-law the King of *Great Britain*. We will, ordain, and it is our Pleasure, that upon this account they have all safe and free Access to our Ports, Harbours and Towns, and may bring there all sorts of Merchandizes, sell, truck and exchange the same, buy and transport other Merchandizes of our Kingdoms, except such as are prohibited by our Orders; just in the same manner they did before the said Wars, notwithstanding all the Prohibitions which we have formerly made to the contrary, which we have remov'd and taken away, and do remove and take away in favour of the said Treaty of Peace.

Thus

Thus do we command our loving and faithful Counsellors, holding our Court of Parliament, our Bailiffs, Seneschals, Provosts, or their Lieutenants, and all our other Officers to whom it may appertain, that they cause these Presents, our Letters of Declaration, to be read, register'd and publish'd every where that is customary, and the Contents thereof to be kept, observ'd and maintain'd, without permitting any Contravention to be made thereto; enjoining our Procurator-General in our Court to see the same put in execution, for so is our Pleasure. In Testimony whereof we have caus'd our Seal to be affix'd to these Presents. Given at the Camp of *Alezo* the 23d day of *June*, in the year of Grace 1629. and of our Reign the 20th. Sign'd, *Lewis*. And upon the Fold, by the King, *Philippeaux*. And seal'd with the Great Seal in yellow Wax upon a double Tail.

Act of the Oath for the Peace of the 24th of April, 1629. made by England the 6th of September, and by France the 16th of the same month, 1629.

THE 17th day of *September*, 1629. the most High, most Excellent and most Potent Prince *Lewis*, by the Grace of God, King of *France* and *Navarre*, our Sovereign Lord, being assisted by Sir *Thomas Edmond*, Ambassador Extraordinary from the most High, most Excellent and most Potent *Charles*, also by the Grace of God King of *Great Britain*, made and took, in the Church of *Fontainbleau*, the Oath for the Observation of the Treaty of Peace, Reconciliation and Friendship, made and concluded between his said Majesty, and the said Lord the King of *Great Britain*, the 24th of *April* last; the Tenor of which Oath follows.

WE *Lewis*, by the Grace of God, the most Christian King of *France* and *Navarre*, do swear and promise, on the Faith and Word of a King, upon the Holy Gospels, touch'd by us for that reason, in the Presence of Sir *Thomas Edmond*, Ambassador Extraordinary from the most High, most Excellent, and most Potent Prince
+ *Charles*,

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Charles, by the same Grace of God, King of *Great Britain*, our most dear, and most beloved Brother and Brother-in-law, Cousin and antient Ally, That we shall fulfil and observe, and shall cause to be fully, really and *bona fide* observ'd and fulfil'd all and singular the Points and Articles agreed and contain'd in the Treaty of Peace, Reconciliation and Amity, made and concluded between us and our said most dear, and most beloved Brother and Brother-in-law, our Kingdoms, States, Countries, and Subjects, the 24th day of the month of *April* last. Which Treaty and Articles having formerly approv'd and confirm'd, we do approve and confirm a-new, and do swear and promise before God, with our join'd Hands, the Observation thereof, without ever contravening them directly or indirectly, or allowing them to be contraven'd in any manner whatsoever; so help us God. In Faith and Testimony whereof we have publicly sign'd these Presents with our own Hand, and caus'd our Seal to be affix'd thereto, in the Church of *Fontainebleau*, the 16th day of *September*, in the year of Grace 1629. and of our Reign the 20th.

The said Act was sign'd, *Lewis*. And upon the Fold, by the King, *Bouthillier*, and seal'd with the Great Seal on yellow Wax, upon a double Tail; given and deliver'd to the said Ambassador separately from the present verbal Process.

At the making of which Oath were present, and did assist the most High, most Excellent, and most Potent Princess *Mary*, by the Grace of God, Queen of *France* and *Navarre*, Queen-Dowager and Mother to the Queen; the most High, most Excellent and most Potent Princess *Anne*, by the same Grace of God, Queen of *France* and *Navarre*, Spouse to his Majesty; Monseigneur the Count *de Soissons*, Peer and Great Master of *France*, Governor and Lieutenant-General for his Majesty in *Dauphiny*; Monsieur the Cardinal *de Richelieu*, holding the Book of the Holy Gospels, upon which his Majesty laid his Hands; Monsieur the Cardinal *de la Valette*, several Princes, Dukes and Peers of *France*, and Officers of the Crown; and Monsieur *de Marillac*, Keeper of the Seals of *France*.

In Testimony whereof, and at the Request of the *Sieur Edmond* Ambassador, and by the Command of his Majesty,

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Majesty, we *Henry Augustus de Lomenie, Sieur de la Villeauxcleres, Count of Montbrun; Charles de Beauclere, Sieur and Baron of Acheres; Claud. Bouthillier, Sieur of Mesnil and Caves; Lewis Philippeaux, Sieur de la Vrilliere, Chevaliers, Counsellors and Secretaries of State of the said Lord the King, and of his Orders, have sign'd these Presents with our Hands, in the usual manner, the Day and Year above-specify'd. Sign'd, De Lomenie, de Beauclere, Bouthillier, and Philippeaux.*

A Treaty between Gustavus Adolphus King of Sweden, and James Marquiss (afterwards Duke) of Hamilton. At Stockholm, May 31. 1630.

N. B. This Treaty was made by the Consent of King Charles I. but he would not appear in it for fear of offending the Emperor, who gave him Hopes of restoring the Palatinate to the King of Bohemia his Brother-in-law.

WE *Gustavus Adolphus, by the Grace of God, King of the Swedes, Goths and Vandals, Great Prince of Finland, Duke of Esthonia and Carel, and Lord of Ingria, &c. To all and singular whom it concerns, make it known and certain, That whereas the Illustrious, and our sincerely beloved Lord, James Marquiss of Hamilton, Master of the Horse to the most Serene King of Great Britain, out of his Zeal for the Publick Good, and for acquiring eternal Fame, hath resolv'd to dedicate himself, and the Fortunes and Forces of all he is concern'd in, for restoring our oppress'd Friends in Germany; and for that end hath offer'd to us by the Illustrious, and our sincerely faithful Colonel Alexander Hamilton, his Fidelity and Service, and that he will at his own Expence raise a Force of Six Thousand Men, and bring them over, as soon as may be, to any Place*
we

we shall appoint, either against the Imperialists, or any other of our Enemies, and maintain them on his own Charge, and do us all faithful and vigorous Service with them, till this great Affair be brought to a good Issue, provided we shall authorize this his Design with our Protection, and give him the under-written Assistance. Therefore there being nothing dearer to us, than to make all vigorous Resistance to the common Enemies of Liberty, and having in high Estimation the brave Undertakings of generous Men, We not only would not reject, but have heartily embrac'd the Nobleness of so good Resolutions; We have therefore admitted, even as by the Vigour of these Presents we do admit, the said Lord Marquis into our Service, Armies and Military Councils, on the following Conditions.

I. Whenever he shall signify to us, that he is ready to bring over his Forces, we shall assign him a place for his landing, either to come and join with our Armies, or to make an Impression elsewhere, as we shall think fit.

II. If we appoint him to land in any place from whence he shall not come strait to us, We shall, for strengthening his Forces, send to the Place We shall assign for his landing, four Thousand Foot out of our Armies, whom we shall furnish with all Necessaries, and maintain on our Charges a whole Year.

III. Because the said Marquis thinks two Thousand Foot are necessary for him, for whose Levy and Pay he promises all Assistance; We shall therefore think of all ways and means for raising and maintaining the same.

IV. We not only give to the most Illustrious Marquis the absolute Command of this Army in our Absence; but shall also join to him a Counsellor with whom he may consult in all things, that so his Deliberations may be more speedy and clear.

V. Whatever the illustrious Lord Marquis shall take from the Enemy, the Lands and Territories shall belong to us, but the Revenues and all the Emoluments shall go to him, and to the Relief of his Army; yet so as that those Revenues shall be gather'd decently and orderly, without Depredations and Plunderings; Since our Design is not to oppress those who have been already enough press'd, but rather to deliver them from the Oppressions of others, as much as by the Divine Assistance We can.

VI.

VI. That the Marquis may more effectually perform what he hath bravely resolv'd, and may the sooner make those Warlike Instruments of his own Invention, on which he relies much in his Expedition; we shall not only with the first Occasion, furnish him with a Hundred Ship-pounds of crude Iron, but shall also assign Hammers for working it according to his Design; of which Instruments he hath promis'd to leave a Model with us, and we shall be careful that none of our Servants shall make use of them before he hath first made trial of them himself.

VII. We shall also furnish him with three Hundred and Seventy Ship-pounds of Iron Ball for his Guns, and two Thousand five Hundred Pikes, and as many Musquets.

VIII. Whenever the Marquis shall advertise us of his wanting Gunpowder; we shall assign him Bills of Exchange in *Holland*, for buying Seventy two Ship-pounds of Gunpowder.

IX. If any other Kings or States shall concur with us, all they contribute shall be at our Disposal: but if the Marquis his Necessities require further Assistance, we shall not abandon him, but faithfully assist him, as much as our Affairs shall permit.

X. For all which the said Illustrious Lord Marquis with all his Forces hath promis'd Fidelity to us, and shall be bound to it as well as our Men, and those who receive our Pay, for which both he and all his Captains shall be particularly engag'd.

XI. But because there is to be a Treary between our Commissioners and the Imperialists at *Dantzick*, therefore if a Peace shall be there concluded, so that we shall not need the Service of the Marquis and his Army, he hath oblig'd himself to pay for the foresaid Materials at their entire Value. All which things being thus concluded, and to be firmly observ'd by us, we have subscrib'd these Articles with our own Hand, and commanded our Royal Seal to be affix'd to them. At our Castle in *Stockholm*, the last Day of May 1630. Sign'd *Gustavus Adolphus*.

Articles sign'd by the Marquis.

WHEREAS there is a mutual Compact betwixt the most Serene and Mighty King of *Sweden* and Me, for joining of our Forces; that the Articles be fully ratify'd, and lest any thing afterwards fall in which may put a stop to our Counsels, or afford matter for sinister Glosses; I therefore for my part subscribe all the Articles, adding only the following Explanation to some of them.

To the First: If the most Serene King assign me a place for landing, I vow and promise, by the Grace of God, to do it, betwixt and the Day of *June* next.

To the Second: If the most Serene King of *Sweden* send me the agreed Number of Soldiers out of his own Forces, at the place and time appointed, I understand, that by furnishing them with all Neecessaries, a full and entire Pay without any Deductions be laid down for a whole Year, according to the Establishment of his Majesty with his own Officers.

Besides, if the most Serene King cannot allow of so great a Diminution of his Forces, it will be necessary that he not only settle a Fund for such a Sum as may levy, arm and pay so many Soldiers, but there will be need of some more; for the Odds will be vastly great betwixt his Majesty's train'd Soldiers, and a sudden Levy of raw Novices.

To the Third: Since the Article of the Horse is conceiv'd in general Terms on both sides, nothing being certainly fix'd on either, it will be expedient that your Sacred Majesty declare your Mind in it plainly, how far you oblige your self; and what shall be agreed for me, betwixt your Majesty and those to whom this Affair is entrusted by me, I bind my self to ratify.

To the Fifth: Since the Reasons of my Expedition to *Germany* are the same with your Majesty's, I have firmly resolv'd to assist and relieve the oppress'd Princes and States of *Germany*, by easing them of all those Burdens with which they are now press'd; and therefore shall do every thing orderly and decently, as becomes most friendly

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friendly Auxiliaries; and if any thing be taken by me from the common Enemy, I shall desire nothing more than that the Right of it be entirely and inviolably your Majesty's.

To the Ninth: Since I have devoted my whole Fortune with all my Interests for promoting this our Design, I promise that whatever any shall contribute towards it, shall all be laid out for this War, which I shall with my whole Force manage and carry on, till either it please God that you obtain a desir'd Peace, or that the Liberty of *Germany*, which is now oppress'd, be restor'd.

To the Tenth: Since by this Article your Majesty requires and expects Fidelity from me and my Army, I *James Marquis of Hamilton*, do by these Presents give my Faith for my self and them, and bind both my self and them; and for the Confirmation of this, I do subscribe this Article, with all the preceding, and put my Seal thereto, at *London* the 1st of *March*, *Anno Dom.* 1631. Sign'd *Hamilton*.

A Treaty of Peace and Alliance between Philip IV. King of Spain, and Charles I. King of Great Britain. Made at Madrid, the 15th of November 1630.

BE it known and manifest to all and every one, That after long and cruel Wars, whereby the Kingdoms of *Spain* and *England* have been formerly shaken and afflicted, at length, by the immense Providence of God (who is the Author of Peace) the most Serene *James* King of *Scotland* having succeeded to the Crown of *England*, between which Kingdom of *Scotland* and the Kings of *Spain* there have always been firm and sincere Alliances; and there being Advances made, thro the same Guidance of the Supreme Deity, towards establishing the same firm Peace and Agree-

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ment with the Kingdom of *England* also; the same was happily begun and enter'd into, the 28th Day of *August* 1604. and afterwards subscrib'd and promulgated by the most Serene *Philip* III. King of *Spain*, and the foresaid *James* King of *Great Britain*; and also sacredly, justly and usefully observ'd by mutual Offices of Friendship, and Pledges of Brotherly Love between both Kings for a long Series of Years. And altho the Vicissitude of Things and Times, and that fierce Contention, whereby the Enemy of Mankind unweariedly endeavours to hurt them, as also the various Chances and Accidents to which the most potent Kingdoms and Empires are for the most part liable, gave rise to some Differences, which soon broke out into open War, and mutual Hostilities on both sides; yet the Omnipotent God, in whose Hands the Hearts of Princes are, would not suffer that antient Friendship to fall, which was between the most Serene *Philip* IV. Catholick King of *Spain*, and the most Serene *Charles* King of *Great Britain*, whereby those Royal Crowns have been hitherto fasten'd as with a most firm Band; nor that unwearied Endeavour whereby their Royal Progenitors sought to spare Christian Blood, and bless their Subjects and People with the Tranquillity of a calm Peace: by which, and by the previous friendly Offices done to both Kings in the Name of *Charles Emanuel* Duke of *Savoy*, by *Alexander* *Casar* *Scalgie*, Abbot of *Stafarda*, *Susa* and *Mulegia*, his Privy-Counsellor and Ambassador, and other Ministers for the same purpose, it is brought about, that the mention made of a Peace not long since was not only receiv'd with a willing Mind, but likewise Royal Ambassadors have been sent on both sides to treat of that matter, viz. by the most Serene King of *Great Britain* to the Court of *Spain*, *Sir Francis Cottington* Baronet, one of his Majesty's Privy Council, and to the Court of *England* by the Catholick King of *Spain*, *Don Carlos Coloma*, one of his Majesty's Privy Counsellors, Governor of the Castle and Territory of *Cambray*. Therefore the pious Propension of both Kings, and that Disposition which is agreeable to their innate Royal Generosity and Magnanimity being discover'd, a Treaty was appointed thereupon at *Madrid*; and for that purpose the Catholick King specially deputed *Don*

Gasper

Gasper de Guzman, Count of *Olivarez*, Duke of *San Lucar* the Greater, first Gentleman of his Bedchamber, and Master of the Horse to his Majesty, Great Chancellor of the *Indies*, &c. *Don Inigo Velez de Guevara*, Count of *Onate*, &c. *Don Pedro de Zuniga*, Marquis of *Flores Davila*, &c. all of his Majesty's Councils, and empower'd by a Commission and Command of the following Tenor.

PHILIP, by the Grace of God, of *Spain*, both the *Sicilies* and *Jerusalem*, &c. King, Archduke of *Austria*, Duke of *Burgundy*, *Milan*, &c. Count of *Augsburg*, *Tirol*, &c. Whereas we have understood, That, thro the Intervention of some Princes, our most Dear Brother *Charles* the most Serene King of *Great Britain* is now seriously minded to restore Peace, and that antient Friendship which happily lasted for a long Series of Years between the most Serene Princes *Philip* the Third of Blessed Memory, our very good Father, and our most Dear Brother *James* late King of *England*, until some unlucky Interruptions came in the way: We have likewise been willing to shew our Propensity to Peace, so it be such a Peace as will be acceptable to God, and issue in the common Good of the Christian World; since which time, we have mutually consented on both sides to send our Ambassadors, and order'd them withal to make quick Dispatch for the common Benefit of our Subjects. Whereas therefore Sir *Francis Cottington* Privy Counsellor to King *Charles*, is by his Majesty's Command, with full Authority of treating and establishing a Peace, now at our Court a most acceptable Ambassador, we have likewise resolv'd to name and depute our Commissioners, with whom a Treaty of Peace may be enter'd into and concluded. Therefore confiding very much in the Prudence, Fidelity, Industry, Dexterity and Zeal of *Don Gasper de Guzman*, Count of *Olivarez*, Duke of *San Lucar* call'd the Greater, first Gentleman of our Bedchamber, and Master of our Horse, Great Chancellor of the *Indies*, &c. and *Don Inigo Velez de Guevara*, Count of *Onate*, &c. as also *Don Pedro de Zuniga*, Marquis of *Flores Davila*, &c. who are all our Privy Counsellors: We have thought good to appoint them our Commissioners for

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the present Treaty of Peace; and do by these Presents nominate and declare them to be our Commissioners and Deputies, granting them full Authority and Power, and a general and special Commission to act, treat and agree, and bring to a final Conclusion with Sir *Francis Cottington* in the Name of his Master whatever shall seem necessary and proper for restoring and establishing a firm Peace and Amity betwixt Us and the foresaid King of *Great Britain*; and to act, treat, agree, finish and conclude all and every one of these Things in our Royal Name. Which Things being thus brought to an Issue, they may order, subscribe and dispatch the Articles and Instruments of Treaty with the foresaid Ambassador, Commissioner and Deputy of the King of *Great Britain*, and likewise promise *bona fide*, and upon our Royal Word, that we shall hold all these Things acceptable, stable and firm, and sincerely and firmly observe them on our part. Given at *Madrid* the 31st of *May* 1630. *Philip*; and lower, *Andrew de Rozas*.

And on the part of the King of *Great Britain*, his foresaid Ambassador, Sir *Francis Cottington*, by virtue of a special Commission and Command from his Majesty in the Palace of *Westminster*, the 20th of *October* 1630. thereupon dispatch'd, which word for word runs thus.

CHARLES, by the Grace of God, King of *Great Britain, France and Ireland*, Defender of the Faith; To all and singular to whom these our Presents shall come, Greeting. Whereas a firm Peace and Amity lasted for many Years between our Excellent Father King *James* of Blessed Memory, and the most Serene Princes *Philip III.* late King of *Spain*, and our most Dear Brother *Philip IV.* now King of *Spain*, till some unlucky Interruptions happen'd; to remove which Dissensions, and mutually restore antient Friendship, certain Princes interpoling betwixt us, gave us to understand, that the said King of *Spain* our most Dear Brother was now seriously inclin'd; so that there was nothing wanting towards restoring Peace, and establishing it upon equitable Terms, but that fit and proper Ministers and Ambassadors, instructed and vested with sufficient Authority

thority on both sides, should be mutually sent. We also who have always been inclin'd to Peace, and never averse from it, but rather desirous of binding and establishing antient Friendship with a more firm and strait Bond, if possible; not doubting but that Work might be brought about for the Publick Good, and the Safety and Emolument of our Friends and Confederates, for the mutual Advantage of Us and our Kingdoms on both sides, and to a prosperous and desirable End, are willing to show our selves forward and ready to promote so great an Affair. Therefore know ye, That we confiding very much in the Prudence, Fidelity and Industry of the Noble, Faithful, and our well Beloved *Francis Cottington*, Knight Baronet, our Counsellor of State, and Chancellor of our Exchequer, have made, appointed, ordain'd and deputed the said *Francis Cottington* our undoubted Commissioner, Ambassador, Procurator and Deputy for the foresaid Business, giving and granting to him full Power and Authority, and also a general and special Commission of communicating, treating, agreeing and concluding in our Name, with the foresaid most Serene King of *Spain* our most Dear Brother, and his Procurators, Deputies and Ambassadors having full and sufficient Power and Authority for that effect; all and every thing that conduces to the restoring and establishing of a firm Peace and Amity between us, our Crowns, and our Relations, Friends and Confederates. Promising *bona fide*, and on the Word of a King, that we shall hold grateful, firm and stable, and observe on our part every thing that shall be treated and concluded between our said most Dear Brother the King of *Spain*, and his Procurators, Deputies and Ambassadors, and the foresaid *Francis Cottington* our Commissioner, Deputy and Ambassador. In Testimony whereof we have caus'd the Great Seal of our Kingdom of *England* to be affix'd to these Presents, sign'd with our own Hand. Which were given at our Palace at *Westminster*, the 20th Day of *October* 1629. and of our Reign the Fifth. *Charles R.*

Which Commissioners and Deputies of both Kings, after several Conferences holden, and a previous careful Discussion and mature Deliberation had upon so great

a matter, God favouring their pious Undertakings, for his greater Glory, the Benefit of the Christian World, and the Advantage and Tranquillity of the Subjects of both Kings, have agreed and settled the following Articles of perpetual Peace.

I. **I**T was and is concluded, settled and agreed, That from this day forth, there be a good, sincere, true, firm and perfect Friendship and Confederacy, and a perpetual Peace, which shall be inviolably observ'd, betwixt the most Serene King of *Spain*, and the most Serene King of *Great Britain*, and all their Kingdoms, Countries, Dominions, Lands, People, Men, Lieges and Subjects whatsoever present and to come, of whatsoever Condition, Dignity and Degree they be, as well by Land as by Sea and fresh Water; so that the foresaid Vassals and Subjects shall favour one another, and treat one another with mutual good Offices and honest Affection.

II. All Hostility and Enmity shall cease for the future; and all Offences, Injuries and Damages which the Parties may have suffer'd during the War, shall be taken away and forgotten, so that neither may have any Pretensions upon the other, on account of any Damages, Offences, Captions or Plunders whatsoever in time to come; but there shall be an Abolition of all these from henceforth, and all Hostility shall be extinct: saving, and respect being had to the Captures made within the District of the narrow Seas for the space of fifteen Days, and within the Tracts of the Straits and Islands in the space of three Months, and beyond the Line in the space of nine full Months from the Day of publishing the Peace, or immediately after notice given within the said Limits, and the Places to be respectively specify'd by sufficient Declarations, or authentick Writs, because these must be accounted for and restor'd. They shall for the future abstain from all Booty, Capture, Offence and Plunder in all the Kingdoms, Dominions, Places and Jurisdictions of one another, wheresoever situated, as well upon the Sea as upon Land and fresh Water; nor shall they consent that any of the foresaid things be done by their Vassals, Inhabitants or Subjects,

but

but shall cause all Prey, Spoil, Capture or Damage that shall be done or committed by them to be restor'd.

III. Nor shall any of the foresaid most Serene Kings, their Heirs and Successors whatsoever, do, act or attempt any thing either by themselves or others against the other his Kingdoms, Countries or Dominions whatsoever, in any place, whether by Sea, Land, fresh Water, or in Ports, upon any account or for any cause whatsoever, nor consent or join with any one in War, Counsel, Attempt or Treaty that may be to the prejudice of the other.

IV. That neither of the Parties shall give, nor consent that his Vassals, Subjects or Inhabitants give Assistance, Favour or Counsel directly and indirectly, by Sea, Land or fresh Water; nor afford, or consent that his said Vassals, Subjects or Inhabitants afford Men, Provisions, Mony, Warlike Instruments, or any other Assistance to foment War, to the Enemies and Rebels of the other Party, of whatsoever kind they be, whether they invade the Kingdoms, Countries and Dominions of the other, or withdraw themselves from his Dominion and Obedience.

V. They shall moreover renounce, even as by the Tenor of these Presents the said Kings shall and do renounce, each of them any League, Confederacy, Stipulation, or Intelligence howsoever made in prejudice of the one or the other, that is or may be repugnant to the present Peace and Agreement, and all and singular the Contents thereof; and they shall annul and make void for the foresaid effect, all and every one of these, and declare them to be of no effect or moment.

VI. It is covenanted and agreed, That the said most Serene Kings shall order their Subjects to abstain from all manner of Force and Injury; and shall revoke all manner of Commissions and Letters of Reprisal and Mark; and all such as contain a Power of Plundering, of whatsoever Kind or Condition they be, that are given and granted to their Subjects, Inhabitants or Foreigners, in prejudice of either of the Kings or of their Subjects; and shall declare them null and void, even as they are by this Treaty of Peace declar'd null and void. And whosoever contravene it shall be punish'd, and besides criminal Punishment inflicted, shall be
compell'd

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compell'd to make full Damages to the aggriev'd Subjects.

VII. It was and is agreed and settled, That there be, and ought to be a free Commerce between the most Serene King of *Spain* and the most Serene King of *Great Britain*, and all their Vassals, Inhabitants and Subjects, as well by Land as by Sea and fresh Water, in all and singular the Kingdoms, Dominions and Islands, Lands, Cities, Towns, Villages, Ports and Districts of the said Kingdoms and Dominions, where Commerce and Trade was carry'd on between the said Kingdoms before the War between *Philip II. King of Spain* and *Elizabeth Queen of England*, as it was settled in the Treaty of Peace in the Year 1604. Article IX. according and agreeably to the Use and Observance of antient Covenants and Treaties preceding the said time: so that without any Pass-port, general or special Licence, either by Land, Sea, or fresh Water, the Subjects and Vassals of both Kings may go, enter, and sail to all the foresaid Places, and all their Cities, Towns and Ports, Shores, Coasts and Districts; and enter into any Ports in which there was a mutual Commerce before the said time; and according and agreeably to the antient Custom and Usage of antient Covenants, and of the said Treaties, may import Merchandizes upon Waggons and Horses, in Carriages and Boats loaded or to be loaded; buy and sell in the said Places as much Provision as will be necessary for their Sustenance, Journey or Voyage, and purchase them at a reasonable rate; and take care to return their own, hir'd or borrow'd Ships or Waggons; and with the same Liberty depart from thence with all their Merchandizes, Goods and Things whatsoever, paying only the present Toll and Duty according to the Statutes of the Places; and from thence go to their own Foreign Countries, as they please, without any Impediment or Hindrance.

VIII. It was and is likewise agreed and settled, That it shall be lawful to go to the Ports of the said Kings, there remain, and depart from thence with the same Liberty, not only with Merchant Ships, but also with all manner of Ships of War, prepar'd to repulse the Attacks of the Enemy, whether they shall be driven by the Violence of Storm; or to mend their Ships, or to buy

buy Provisions; provided that if they come in freely and of their own accord, they do not exceed the Number of six or eight Ships, and do not remain longer in the Ports or about the Ports, than shall be necessary for refitting or purchasing Necessaries, lest they should be a hindrance to the free Commerce of other friendly Nations. But if there shall be a greater Number of Ships of War, then they shall not come in without first consulting the King, and provided they commit no Hostility in the said Ports in prejudice of the said Kings, but live and be at rest like Friends and Confederates.

IX. Provided always, That under colour and pretext of Commerce, no Assistance, whether of Provisions, Arms or warlike Instruments, or any other kind of Warlike Assistance, be carry'd by the Subjects, Vassals or Inhabitants of the foresaid Kings whatsoever, for the Use and Benefit of the Enemies of either of the said Kings; but whosoever shall contravene these, shall be more severely punish'd, as seditious Persons, and Breakers of Faith and Peace. So that the Subjects of the one shall not be worse treated in the Territories of the other than the Natives themselves, in selling and bargaining for their Merchandizes, either with regard to the Price or otherwise; but the Condition of Foreigners and Natives in the foresaid Respects shall be equal and alike; any Statutes or Customs to the contrary notwithstanding.

X. It was and is agreed and settled, That the said most Serene King of *England* shall forbid, and by a publick Edict to be promulg'd immediately after the Confirmation of these Presents provide, that none of his Subjects, Vassals or Inhabitants remove or carry away in any manner, directly or indirectly, in his own Name or that of another, any Ship or Carriage, nor lend his Name to the removing or carrying away any Ships, Merchandizes, Manufactures, or any other Things out of *Holland* and *Zeeland* into *Spain*, and other Kingdoms and Dominions of the said most Serene King of *Spain*; nor carry any *Holland* or *Zeeland* Merchant in his Ships to the said Parts, upon pain of the King's Displeasure, and other Punishments threaten'd against the Contemners of the King's Commands. And to the end that the greater Caution may be us'd lest

Fraud.

Frauds be committed on the account of the Similitude of Merchandizes, it is provided by the present Article, That Merchandizes to be carry'd or transported out of *England, Scotland and Ireland*, to the Kingdoms and Dominions of the said most Serene King of *Spain*, shall be mark'd by the Register and Seal of the Town or City from whence they came; and thus bound or pack'd up they shall be allow'd, without any manner of Scruple or Question, to be *English, Scotch or Irish*, and shall be approv'd respectively according to Approbation, saving Proof of Fraud, yet without retarding or hindering the Course and Vent of the Merchandizes. But such Merchandizes as shall be neither register'd nor seal'd shall be confiscated, and shall be good Prey, as 'tis usually term'd: and also all *Hollanders and Zeelanders* found in the said Ships, may be taken and arrested.

XI. It is likewise agreed, That *British, Scotch and Irish* Merchandizes may be freely brought from the said Kingdoms into *Spain*, and the other Provinces of the said most Serene King, only paying the usual Duties and Customs.

XII. It is also agreed and settled, That new Duties and Customs shall not be rais'd upon the Merchandizes which the *English, Scotch and Irish* shall buy in *Spain*, or in the other Kingdoms of the said most Serene King of *Spain*, whether they be in their own or hir'd Ships, or borrow'd for their use (excepting however, as is said above, the Ships of *Hollanders and Zeelanders*) provided they carry and bring the said Merchandizes to the Kingdoms of the said most serene King of *England*, or to the Ports under the Obedience of the *Belgick Provinces*. And to the end no Fraud may be committed, and lest the said Merchandizes should be carry'd to other Places and Kingdoms, and particularly to *Holland and Zealand*; it is concluded, That the said Merchants shall oblige themselves, at the time of loading their Ships in *Spain*, or the other Kingdoms and Dominions of the said most serene King of *Spain*, before the Magistrates of the Places where they purchase the Goods, to pay 30 *per Cent.* if they carry the said Merchandizes to other Provinces, and consign a Certificate to be obtain'd from the Magistrates of the Places, of the unloading of the said Merchandizes, either in the Kingdom

dom of *England*, or in the Ports of the Provinces under the Obedience of the said King of *Spain*, in the space of twelve Months: upon the Exhibition of which Certificate, the Obligations formerly given shall be deliver'd to such as bring the said Certificate.

XIII. That the most serene King of *England* shall, immediately after the Confirmation of the present Agreement, forbid that none export Merchandizes out of *Spain* and other Kingdoms of the most serene King of *Spain*, to carry them elsewhere than to his own Kingdoms, and the said Ports under the Obedience of the *Belgick Provinces*, on pain of the Confiscation of all the said Merchandizes in the Hands of the Fiscal of the said most serene King of *England*; the half of the said Merchandizes, or the Value thereof to be given to the Informer after the Duty of 30 per Cent. be deducted, which shall be paid to the Ministers deputed by the said most serene King of *Spain*, upon producing Affidavit that legal Proof thereof was made in *Spain*, which shall be transmitted to *England* in authentick Form.

XIV. It is declar'd likewise, upon the said Prohibition of Merchandizes to be exported out of *Spain* to any other than the *British* Kingdoms, and the Provinces of *Flanders*, That those Kingdoms and Dominions are in no wise comprehended, that enjoy free Commerce with the Kingdom of *Spain*: for the Subjects of the most serene King of *England* may carry the Merchandizes of the most serene King of *Spain* to those who have a free Trade with the Kingdom of *Spain*; the Cautions, Conditions and Penalties laid down against the Contraveners hereof, remaining in their full Force and Effect notwithstanding.

XV. That no Magistrate of the Towns or Cities of the said Kingdoms, who gives Certificates of the unloading of Ships, and declares the Register of Merchandizes, shall commit any Fraud in that matter, upon pain of the King's Displeasure, Loss of his Office, and arbitrary Punishment.

XVI. What is said concerning the free Commerce granted to the Subjects of the foresaid most serene Kings, shall likewise be understood of the free Trade between the Subjects of the Provinces of *Flanders*, and those of the most serene King of *England*, *Scotland* and *Ireland*,

viz. That they shall favour and treat one another with loving Affection, do one another mutual good Offices; freely, securely and safely go, enter and sail by Sea, Land or fresh Water, without any Passport, general or special Licence, to the said Kingdoms, Dominions, Lands, Cities, Towns, Villages, Shores, Ports and Coasts whatsoever; buy and sell in the said Places, stay, live and trade there as long as they please; import and export Merchandizes, purchase Provisions at a reasonable and due Price for their Subsistence, Journey or Voyage; endeavour to return their own, hir'd or borrow'd Ships or Carriages; and with the same Liberty depart from thence with all their Merchandizes, Goods and Things whatsoever, paying their Duties and Customs according to the Statutes and Laws of the Place; and return without any Lett or Impediment, provided they do not employ the Ships of *Hollanders* or of the People of the *United Provinces*, nor carry any thing to the confederated Dominions, for which Custom was paid in *Holland*, or that was bought or purchas'd in *Holland* or the *United Provinces*, or the Manufactures of those Parts; nor carry nothing from their own Countries to the said Provinces, till after a settled Pacification; nor receive any thing into their Ships belonging to the *Hollanders* or *United Provinces*, nor put any thing of theirs into *Dutch* Ships, nor fraudulently lend their Names to the *Hollanders*, or the People of the *United Provinces*. So that whatsoever shall be found to be contraven'd in any of those Particulars, shall be held for just and lawful Prize.

XVII. The foresaid Particulars shall not only be understood of Merchant Ships loaded or unloaded, but likewise of the Ships of War of the said most serene Kings, which they shall employ for opposing the Attempts of the Enemy, viz. That it shall be equally lawful for them, in the Number above specify'd (whether they be driven in by Storm, or oblig'd to buy Provisions or other Necessaries, or mend their Ships) to use the same Liberty in coming in, staying and departing, provided they commit no Hostility in the said Ports, but behave themselves honestly, quietly, and as becomes Friends and Confederates; nor stay longer in or about the Ports than shall be needful for refitting,
and

and providing other Neecessaries, lest they should hinder the free Commerce and Intercourse of other confederated and ally'd Nations. But if there be a greater Number of Ships of War, then they shall not come in, without first consulting the King.

XVIII. And whereas the said Kings solemnly promise never to give any Warlike Assistance to the Enemies of one another, so it is likewise provided, that their Subjects or Inhabitants of whatever Nation or Quality they be, shall not on pretext of Trade and Commerce, or under any other Colour whatsoever, succour the Enemies of the said Kings or any of them in any manner, furnish them with Mony, nor afford them Provisions, Arms, Engines, Guns, Instruments of War, or any other warlike Machines: and whosoever shall contravene, shall be most severely punish'd, as seditious Persons, and Breakers of Faith and Peace.

XIX. And that the Subjects of the most serene King of *Spain*, and of the most serene King of *England* in the Provinces under their Obedience, may reap the greater Benefits from this Agreement; it is agreed and concluded, That the said most serene Kings shall endeavour conjunctly and severally, that their Subjects may have free Access to all their Ports, Kingdoms and Dominions; so that they may freely and without Impediment come to the said Ports, Dominions and Kingdoms, with their Ships, Merchandizes and Carriages, paying the ordinary Duties and Customs; and depart with the same Freedom, when they think fit, with other Merchandizes.

XX. And as to what concerns the many antient Intercourses and Treaties of Commerce between the Kingdoms of *England*, *Scotland* and *Ireland*, and the Dukes of *Burgundy*, and Princes of *Flanders*, which have been interrupted during these Commotions, and perhaps broke in many respects; it is provisionally agreed, That they shall retain their former Force and Authority; and that they shall be in the same State they were before the War between *Philip II.* King of *Spain*, and *Elizabeth* Queen of *England*, as it is settled in the Treaty of Peace in the Year 1604. Article XXII. And if any Injustice be alledg'd on both sides, or on either part, or the Subjects complain of Compacts not being observ'd,

or of unusual and heavy Impositions being laid upon them, Commissioners shall be appointed on both sides, who shall agree, and if need be, treat in a friendly manner with Merchants conversant in those Affairs, and restore those things which have either fallen into Disuse, or been chang'd by the Injury of Time, or bad Management.

XXI. And because the Rights and Privileges of Commerce which follow upon Peace should not be render'd fruitless (as they would be, if the Subjects of the most serene King of *England* should be molested or vex'd for Conscience sake, while they pass and repass to the Kingdoms and Dominions of the most serene King of *Spain*, and stay there some time on account of their Commerce and Trade) therefore that Commerce may be safe and secure, as well by Land as by Sea, the most serene King of *Spain* shall take care and provide, That they be not molested or disturb'd on the foresaid account of Conscience, contrary to the Rights of Commerce, unless they give Scandal and Offence to others.

XXII. That in case any prohibited Goods or Merchandizes be exported or carry'd out of the Kingdoms and Dominions of the foresaid most serene Kings by the Subjects of the one or the other, in that case the faulty Person only shall suffer Punishment, and the prohibited Goods only shall be confiscated.

XXIII. That the Goods of Subjects coming to die in the Kingdoms and Provinces of either, shall be kept for their Heirs and Successors, saving the Right of a Third.

XXIV. That the Concessions and Privileges granted by the said Kings to the Merchants of both Kingdoms coming to their Kingdoms, and which have ceas'd because of the War, shall be reviv'd, and have their full Effect.

XXV. That if it should afterwards happen (which God forbid) that Differences should arise between the most serene Kings of *Spain* and *England*, whereby the free Intercourse of Trade might be in danger of being interrupted; then the Subjects of both sides shall be advertis'd thereof, and be allow'd six Months time to transport their Merchandizes, without any Arrest, Interruption or Damage of their Persons or Merchandizes in the mean time.

XXVI. That neither of the foresaid most Serene Kings shall detain the Ships of the Subjects of the other lying in their Ports, nor stop them for carrying on War, or any other Service in prejudice of the Owners, without first acquainting their King to whom the Ships belong, and having his Consent.

XXVII. It is agreed, That if during this Peace and Amity any thing be attempted, acted or done contrary to the Force and Effect thereof, by Land, Sea or fresh Water, by any of the Vassals, Subjects or Allies of the said Kings, their Heirs and Successors, or the Heirs and Successors of the said Allies, or the Vassals and Subjects of those comprehended in this Treaty, nevertheless this Peace and Amity shall remain in its Force and Effect, and only the Persons attempting and doing damage, and no others, shall be punish'd for the said Attempts and Damages.

XXVIII. That the Prisoners taken in War on both sides, altho condemn'd to the Gallies, shall be set at liberty and dismiss'd, upon payment of the Expence for their Maintenance by those who are not in the Gallies, and upon payment of their Ransom by those who had formerly agreed for it.

XXIX. It is concluded, That all Civil Actions which subsisted and were in being at the time of the War, may go on, notwithstanding the Loss of time during the War; so that as long as the War lasted no prejudice shall be reckon'd to have been done to them, saving such as have come before the Fiscal.

XXX. That if any Question be mov'd in the Kingdoms and Dominions of the one or the other, by any one not a Subject, upon the account of Captures and Spoils, they shall be remitted to their Judg in the Territories of that King, against whose Subject or Subjects the Controversy was rais'd.

XXXI. That if the *Hollanders* and the other confederated States are desirous of proposing Conditions of Pacification with the most serene King of *Spain* and his Successors, by the Mediation of the most serene King of *England*; the said most serene King of *Spain* and his Successors shall willingly hearken to whatever shall be propos'd justly and agreeably to Reason, and shall desire, that by the Mediation of the King of *Eng-*

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land, they may propose equitable Conditions; and they shall understand how much is owing to the Authority of the said most serene King of *England*, his most Dear Brother.

XXXII. It is concluded and settled, That in the present Treaty of Peace shall be comprehended the Adherents, Friends and Confederates of the said Kings, *viz.*

XXXIII. On the part of the most serene King of *Spain*, &c. *Ferdinand* Emperor of the *Romans*, and his Brothers and other Princes of *Austria*, the Archdukes and Princes of the Empire, the Electors, Cities and States under the Obedience of the Empire, the King of *France*, the Kings of *Poland* and *Sweden*, the King of *Denmark*, the Doge and Republick of *Venice*, the Duke of *Savoy*, the Duke of *Bavaria*, the Duke of *Cleves*, the Duke of *Holstein*, the Duke of *Lorain*, the Duke of *Parma* and *Placentia*, the Bishop and Province of *Leige*, the Duke of *Florence*, the Duke of *Modena* and *Regium*, the Duke of *Urbino*, the Leagues and Cantons of *Switzerland* and the *Grisons*, the *Hanseatick* Towns, the Counts of *East-Friseland* (without prejudice to the Right which the King of *Spain*, and the Archduke claim to his States) the Duke and Republick of *Genoa*, the Head of the Family of *Colonna*, the Prince of *Doria*, the Head of the *Urfin* Family, the Duke of *Sermoneta*, the Lord of *Monaco*, the Duke of *Mirandola*, the Prince of *Massa*, the Count *de Sala*, and the Count *de Cotorno*.

XXXIV. And on the part of the most serene King of *England*, &c. *Ferdinand* Emperor of the *Romans*, with the Archdukes of *Austria*, and Electors of the Empire, together also with the States and Cities of the Empire, the Duke of *Lorain*, the Duke of *Savoy*, the Duke of *Brunswick*, *Lunenbourg*, *Mecklenburg*, and *Wirtemberg*, the Landgrave of *Hesse*, the Marquiss of *Baden*, the Duke of *Pomerania*, the Prince of *Hainault*, the Count of *East-Friseland*, the Cantons of the *Helvetians* and *Grisons*, the Maritime *Hans* Towns, the most Christian King, the Kings of *Denmark*, *Poland* and *Sweden*, the Duke and Republick of *Venice*, the Duke of *Holstein*, and the Great Duke of *Tuscany*.

XXXV. It is agreed and concluded, That the said most serene *Philip* King of *Spain*, and *Charles* King of *England*,

England, &c. shall sincerely and *bona fide* observe all and singular the Articles agreed and settled in this present Treaty, and cause them to be observ'd and kept by their Subjects and Inhabitants; nor shall they contravene them directly or indirectly: and they shall hold firm and stable all and singular the foresaid Points by Letters Patent sign'd by the Royal Hands of both Kings, and strengthen'd by the Impress of their Great Seals, and dispatch'd in sufficient and due Form; and upon the first Occasion, they shall deliver, or cause to be deliver'd *bona fide*, really and effectually, an Instrument of Obligation or Engagement, whereby they shall mutually declare upon the Word of a King, and their solemn Oath taken by laying their Hands upon the Book of the Gospels, to perform entirely all and singular the foresaid Articles, when they shall be requir'd thereto by one another; and they shall likewise cause the Treaty of this settled Peace to be proclaim'd as soon as conveniently may be, in the usual Time and Places. All which Contents above specify'd have been agreed, settled and concluded by us the foresaid Deputies, Ambassadors and Commissioners of both Kings, in vigour of the said Commissions, and in the Name of the foresaid Kings. In Faith and Testimony of all and singular of these we have subscrib'd them with our own Hands. *Madrid* the 15th of *November* 1630.

Copy of the Oath taken by the King of Great Britain.

WE *Charles*, by the Grace of God, of *Great Britain, France and Ireland*, King, Defender of the Faith, &c. do promise and swear, in the Presence of the most Illustrious *Charles Coloma*, at this time Ambassador and Procurator of the most Serene and most Potent Prince *Philip IV.* of that Name, King of *Spain*, our most Dear Brother, and upon these Holy Gospels of God, That we shall inviolably and without Fraud or Deceit observe the Treaty of Reconciliation and Peace, concluded and agreed betwixt our Deputy and the Deputies of our foresaid most Dear Brother, the 5th Day of *November* last past, O. S. according to all and singular

lar the Articles contain'd in the said Treaty; nor shall we consent that any thing be attempted or innovated either by our selves or our Subjects, contrary to the said Peace and Reconciliation, or in prejudice of the said Treaty. In Testimony whereof, we have put our Hand to these Presents, in the Chappel of our Palace at *Westminster*, the 7th of *September* 1630. according to the Computation of the Church of *England*, and of our Reign the sixth. Sign'd *Charles R.*

The Manifesto of Gustavus Adolphus King of Sweden, wherein he declares the Reasons that oblig'd Him to take up Arms, and enter into Germany. Publish'd in July or August, in the Year 1630.

WHEN we come to consider the Business of War, the first Question to be propos'd is, Whether it be Just or no. This is the Case at present with respect to that which the King of *Sweden* has undertaken anew, who may very justly be call'd Great, both for his Courage and Valour, and other Heroick Virtues, for his Power, Strength and Endeavours, and also for all his High and Mighty Designs, and Actions truly worthy of a Great King; having for these last Years, in order to support and encourage his Friends, made War successfully against the *Muscovites* and *Poles*, and then dextrously made Peace still for his Glory and notable Advantage; and some Months ago, viz. in a very short time, brought his Army into the Harbours of the *Baltick* Sea; having made himself Master of all *Pomerania*, and fortify'd the Places within his Conquest, not to extend his Limits, and enlarge his Bounds, but to deliver his Relations and Friends from Oppression; not by the Devastation of Countries and Cities, but at his own Charges and Expence, and at the Hazard of his own Person, as appears by the publick

lick Accounts, which have spread his Fame thro the whole Universe. 'Tis true, such as envy his Glory, and those who are not yet inform'd of the Justice of his Arms, put various Constructions upon his Designs, and spread sinister Reports of him, to the prejudice of his Reputation. It has therefore been thought fit and proper, to declare to the World the Motives and Reasons of his last Progress and Entry into *Germany*; and not to dwell upon what is notorious to all the People and States of *Christendom*, it will be sufficient to say, That the *Spaniards* and the House of *Austria* have been always intent upon a Universal Monarchy, or at least design'd the Conquest of the Christian States and Provinces in the *West*, and particularly of the Principalities and free Towns in *Germany*, where that House has made such a Progress, that if this brave and generous *Northern* Prince had not bestir'd himself, and oppos'd that Torrent, she had push'd her Ambition and Arms to the most distant Kingdoms and Provinces, which have hitherto preserv'd and maintain'd their Liberty, notwithstanding thousands of secret and open Practices and Threats made use of by the *Spaniards* and their Partizans. This is what has given occasion to his Majesty of *Sweden* to put Fleets to Sea, and bring Armies into the Field, in order to preserve his Friends, and render Traffick and Commerce free thro this whole Climate, as well by Sea as by Land; being thereto invited by several Princes and States of the Empire, before they were entirely reduc'd to Servitude and Misery, wherein they now find themselves shackled by the Tyranny of ambitious Designers, Ringleaders, Counsellors and Generals of the said House; and by all means to prevent the total Ruin both of himself and his Neighbours, Friends and Allies, which is truly an Effect of the Charity and Protection which a prudent and generous Prince naturally owes to his own Subjects, and his nearest Neighbours, who are ready to fall under the Oppression of their Enemies: tho he was scarce able to imagine that the Enemies of publick Liberty would have rush'd with so much Violence and Impetuosity into the Countries of their Neighbours as they have done. And this Belief and Opinion was the Cause of his Majesty's stopping short in his Design of succouring those who ap-

prehended that Invasion, and turning his Counsels and Arms in the mean while elsewhere, that he might not lose the Opportunities that offer'd themselves.

For after the Wars of *Poland* in the year 1626. had oblig'd his Majesty to march his Army into *Prussia* (a Province subject to the said King of *Poland*) he then began to consider more narrowly every thing he had to hope or fear from those who ravag'd *Germany* in that manner; and judg'd right, that his Friends had not, without Reason or Foundation, advis'd him of what he understood the Enemy always intended against him more and more with relation to the War, as they drew nearer to the *Baltick* Provinces.

For in the first place, in the said Year, the Letters sent by his said Majesty to the Prince of *Transylvania* were intercepted; and after they had been open'd, and false Glosses put upon them, to load his Majesty with the Peoples Hatred, and render him odious every where, they were maliciously publish'd; and the Courier who carry'd them was put in Prison, and treated as a Criminal, by open and publick Violence, contrary to the Law of Nations.

In the second place, the Enemies of the publick Quiet hinder'd the Peace, which was then treating, from being concluded between his said Majesty and the King of *Poland*; altho there was great appearance of its being in a fair way to be brought to a Conclusion, insomuch that they practis'd upon and corrupted the chief Ministers of the States of *Poland* by Presents and Artifices, with an Intention still to continue and keep up that War, until they had executed their Designs in the Empire; by making the *Polanders* hope, that after they had subdu'd the Protestant Party in *Germany*, they would not fail to assist them to invade and take possession of the Kingdom of *Sweden*.

For confirmation of which Promise, and to acquit themselves of their Obligation by real Effects, which tended only to animate the *Polanders*, and weaken *Sweden*; they forbid any Levies to be made in *Germany* for *Sweden*, and on the contrary allow'd the Enemy to levy Soldiers openly, and to make use of all the Provisions they could draw from thence. But perceiving that notwithstanding all their Prohibitions, Soldiers flock'd from all
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the Countries of *Germany* into the Service of the King of *Sweden*, the following year 1627. they dispatch'd the Duke of *Holsace* with a powerful Army to make head against him in *Prussia*, and that under the Colours and Banners of the Emperor himself. Besides this, and for a greater Testimony of their Ill-will, and in order to deprive the *Swedes* of all Conveniences, they forbid the Merchants all Freedom of Trade and Commerce, taking away all their Merchandizes, and even such whereof the Carriage had been paid in the Towns of *Germany*, and confiscated the *Swedish* Ships, on pretext of establishing a general Commerce in *Lubeck* for the *Hans* Towns: Which in effect was driving and excluding the *Swedes* from the whole Commerce of the *Baltick*, and making a Naval Force at the Expence of the poor Merchants, Subjects of the King of *Sweden*, in order freely to range and pirate in the said Sea at their Will and Pleasure; which they shew'd with a witness the following year, having newly created a General of the Seas (a new and unheard of Title in that Climate) and possess'd themselves of the Ports and fortify'd Places in the Dutchies of *Mecklenburg* and *Pomerania*.

It may be objected here, That all this was tolerable, if they had gone no further. But it was to be suppos'd that they would not stop there, and indeed they soon began to range the Sea, and fortify the Port of the City of *Stralsond*, for a Receptacle and Retreat to their Pirates; a thing that so nearly concern'd all the neighbouring States, and gall'd them so much, that the King of *Sweden*, who time immemorial had a Right to the Protection of the *Baltick* Sea, neither could or ought to suffer any further Progress to be made.

His Majesty then, invited by the earnest Prayers of his Friends and Allies, and irritated by the Injuries and Outrages done as well to his own Subjects as to his Friends and Allies, march'd a second time into *Prussia* about the Spring of the following year 1628. with a design to remedy all those Inconveniences by good and lawful ways and means. And it happen'd in the mean time, that the Deputies of the said City of *Stralsond* came to wait upon him, to complain, That notwithstanding their City had not in the least offended the Emperor, altho they had neither been accus'd, cited or condemn'd, and

even after they had been declar'd innocent by an Imperial Decree, with a Promise and Assurance of an entire Deliverance; yet the Imperial Army under the Command of General *Wallestein*, committed Ravage and Devastation, and exercis'd unheard of Cruelties upon the Burgeses of that City, and the Inhabitants of the flat Country; and proceeded so far as to fortify themselves in their Territory, and, without any Declaration of War, surpriz'd the Isle of *Denholm*, over against the Port of the said City, which they were going to strengthen and fortify, to the great Damage and Prejudice thereof: That they had besides seiz'd the Passes of the Isle of *Rugen*, and those of their City, in order to make their way to the Continent: That they had amus'd the Citizens with vain hopes, on purpose to surprize them: That after having drain'd their Purfes, they design'd likewise to oblige them to receive a Garison, and demanded their Ships, Guns, and Harbours; and in the mean time oppress'd them with all manner of Violences, without either regarding their Innocence, or the Imperial Constitutions, or the Emperor's Decree, or the Treaty made in *Pomerania* with the Camp-Mareschal *Arnheim*, or several other Pactions, nor even the vast Sums of Money which the said City had contributed, whereby they thought to have been in Safety and Liberty.

This poor City then finding they could not be deliver'd by the Decrees of the Emperor, and perceiving that the Duke of *Pomerania* their Prince was not able to assist them, and seeing themselves abandon'd by their Confederates, were forc'd out of necessity to have recourse to a foreign Aid and Assistance, in order to divert the Ruin that threaten'd them, and so accept of Succour from the most Serene King of *Denmark*, in hopes that Hostility and Violence might either be appeas'd or moderated. But fearing however lest they should be accus'd for being ally'd with a King, who was then at War with the Emperor, they judg'd it proper and convenient to throw themselves into the hands of the King of *Sweden*, who was then a Friend and a neutral Prince.

Wherefore his Majesty perceiving that no Moderation was to be expected from an Army, which had behav'd themselves with so much Injustice and Cruelty; and
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seeing that the Request of that City was founded upon the justest Reason and Equity; and considering that it had been always ally'd to the Crown of *Sweden*, as well by a common Tie of Religion and Commerce, as by all other manner of good Correspondence; and perceiving likewise that permitting the Pirates to possess themselves of that Harbour for a Retreat, was of the highest Concern and Importance to his own States, and all his Neighbours, he could not, without wounding his Honour and Conscience, refuse those poor afflicted People the Succours they demanded, which he was oblig'd to give them for the Safety of his Kingdom, Neighbours and Allies.

And forasmuch as his Majesty of *Sweden* expected thereby to have the Decrees of the Emperor so much the better observ'd and respected, and by that means to get the *Baltick* Sea to remain in its former State; that is to say, free and safe to his Allies, and all other Nations usually driving a Trade upon it; and that the City of *Stralsund* (which had been formerly preserv'd by the King of *Denmark*, then at War with the Emperor) should be preserv'd in its Liberty thro his Mediation and Intervention, as evidently appears by the Pactions which he enter'd into on that head with the said City, when he took it under his Protection; yet he could not hinder those Firebrands and Usurpers from carrying on their pernicious and ambitious Designs, nor turn them from that War, which they have ever since that time continu'd by Sea and Land, with more Rage and Violence than ever. For not being able to make themselves Masters of that Port, according to their Intention, they seiz'd that of the City of *Wismar*, and some others that were advantageous to them, and carry'd out of the Port of *Dantzick* the Ships of *Poland*, which was at that time at Enmity with the King of *Sweden*, to make use of them; and made so many Marches, and committed so many Depredations and Ravages upon the neighbouring Seas, that his said Majesty of *Sweden* was at last constrain'd, for the preservation of Commerce in his own Seas, to equip, at a great Expence, a Naval Army to keep in those Pirates, in order to enjoy Quiet the rest of the Year.

Notwithstanding all this, the most Serene King of *Sweden* was ever inclin'd to Peace, and contributed towards

wards it all in his power. For understanding that a Treaty of Peace was just upon the point of being enter'd into between the Emperor and the King of *Denmark* at *Lubeck*, he presently sent his Ambassadors thither to accommodate the Difference relating to the City of *Stralsund*, and to pacify, in an amicable way, all the other Differences which had arisen in the Course of several years last past, with an express Charge to use all the Diligence and Persuasion they were Masters of to facilitate the Accommodation between the Emperor and the King of *Denmark*; reckoning that Peace could not be well made with the said King, without comprehending the City of *Stralsund* in it; and that if it was comprehended therein, his Majesty of *Sweden* could not reasonably be excluded out of that same Treaty, upon the account of the Agreements and Pactions formerly made between him and that City.

But altho the King of *Denmark* receiv'd that Embassy very honourably, and the other Party was invited thereto in a very decent and becoming manner by several Letters from his Majesty of *Sweden*; yet his Ambassadors were inhumanly deny'd Audience, and no Answer vouchsaf'd them, but were commanded; upon pain of Death, to depart immediately not only from *Lubeck*, but likewise out of *Germany*. Which unworthy and dishonourable Treatment was held and judg'd by all Nations a sufficient Cause of a Rupture, and of requiring Satisfaction by Arms. And his Majesty had then been very excusable, if he had had recourse to violent Remedies, since there was no valid Cause or Reason for his abstaining from them. However, after the Deputies of the Emperor, in their Letters of Answer dated in *March*, had acknowledg'd the Receipt of those of his Majesty's Embassy, and by that Acknowledgment seem'd to make an Apology for their first Fault, his Majesty likewise, as being more inclin'd to put a good than a bad Construction upon them, imagin'd all this might have proceeded from the wicked Suggestion of some malicious and ill-advis'd Counsellors, and not from the common Concert and Advice of all; and did not judg that Offence to be yet sufficient to oblige him to show his Resentment by a just War, especially since the Deputies said they had no Orders to treat with any but the King of *Denmark*. Add

to

to this, That if the Emperor, or the Duke of *Fridland* were spoke to on this head, a favourable Answer might be expected from them. 'Tis true, Affairs were then brought to such a pass, that there was no longer any room or appearance that a Treaty of Accommodation would be hearken'd to, because of former Offences and Indignities. It came also to be consider'd, how, and in what manner the Party offended could make the first Overture to the Emperor (without wounding his Honour) with whom he had not yet had any Communication, because of the Difficulty of the Passes in all the Emperor's Lands, which were then stop'd up, and since the Negotiation of the Treaty of *Lubeck* was drawing to a Period.

However, to try once more all possible ways, and in order to surmount all Difficulties that might stand in the way to the Blessing of Peace (it being impossible to find means of making an Overture to the Emperor himself) the Parliament of *Sweden* persuaded his Majesty to write about it to the College of Electors, not imagining that they would approve such a Treatment of foreign Kings. Accordingly this was done the *April* following, that so the Princes, who have a great Authority in the Empire, might themselves seek and find out some proper Remedy for that Evil. Nay his Majesty consented, that a Deputy should be sent to the General of the Imperial Army, on the part of the said Parliament, judging that the Difficulties that had crept in among them might have been amicably compos'd in the Armies. And for that effect Baron *Steno Bielke* was presently dispatch'd, with power to treat of a Truce for the City of *Stralsond*, if he could find Minds any way dispos'd to Peace, till an occasion should offer of sending Commissioners to terminate that Matter entirely. But the said Baron being arriv'd at *Stralsond* about the beginning of Spring, found Affairs in a yet worse State than formerly; and the Enemies resolv'd to pursue their pernicious Designs with more Violence and Warmth than ever.

For *Stralsond* was then harass'd and attack'd on all sides, the Gates crouded with Soldiers to infest the *Swedish* Ocean; and as the highest piece of Injustice, a very great Army (without any previous Defiance or Denunciation of War) design'd for *Prussia* against his Majesty
of

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of *Sweden*, under the Conduct and Command of *Arnhem*, the Emperor's Camp-Mareschal: which hinder'd the foresaid Baron from proceeding any farther, who judg'd that it would be somewhat necessary for his Discharge to write to the Duke of *Fridland*, to acquaint him with the occasion of his Embassy; and having protested against that Injury and Injustice of the Army which was upon its March, he demanded it might be sent back, and that all other Acts of Hostility might be forbid, according to the Promise made at *Lubeck* by the Emperor's Deputies.

Notwithstanding all this, the Duke of *Fridland* declar'd that he had not as yet any Inclinations towards a Peace, and that the Promises of those Deputies at *Lubeck* were nothing but Trick and Chicane. For he protested he could not recal the Troops under the Command of *Arnhem*, and that his Imperial Majesty having too many Soldiers, was forc'd to discharge himself of some of them, having already sent them to the King of *Poland* his Friend, for that reason, to make war upon the King of *Sweden* (all which can be made out by authentick Letters) and without giving any other Answer, he made the same Army advance with great Diligence, and harass'd that of the King of *Sweden* in *Prussia* during the whole Summer, whereby he had doubtless suffer'd the entire Ruin of his States, Friends and Allies, if God, who is the Protector of righteous Causes, and the Preserver of his Innocence, had not taken in his own hand the Defence of his Cause, having made his Enemies justly suffer the Evils which they had unjustly prepar'd and design'd against him.

All this being consider'd, it is abundantly evident how much his Majesty of *Sweden*, who has been so often cross'd in his good Designs for a Peace, has been constrain'd at last to take up Arms in good earnest against his Enemies in his own Defence, and for the Preservation of his Person, States and Allies.

It may be objected here, That he ought to have temporiz'd, and waited for the Answer to his Letters from the College of Electors, since the King of *Denmark* interpos'd in that matter; who, by the Persuasion and Instigation of his said Majesty, had, ever since last Winter, endeavour'd to compose the whole by a Treaty of Peace.

Peace. But it must also be infallibly presuppos'd here, that if his said Majesty had seen the least Sign or Appearance of receiving a just Reparation for the Outrages and Damages done him, and some Security and Liberty for his Neighbours, he had never been so warm in his Resentment, but rather condescended to any Proposals of a Peace, according to his Zeal and natural Inclination to the publick Tranquillity and Quiet. But after another Treaty of Peace was projected in the City of *Dantzick* in *Prussia*, and the Commissioner of the Aggressor would signify or declare nothing to the Commissioner of the Party offended, who offer'd to treat with him, and fully to apprize him of his Pretensions, had shew'd his Commission; it is easy to conclude from thence, that the *Swedish* Commissioner was entirely dispos'd to seek Peace, and that, on the contrary, the Enemy had no such Intention, considering the Frauds and Tricks they made use of formerly, and which they likewise practis'd in that same Negotiation at *Dantzick*, and which are but too manifest, since at that time they seiz'd the Passes and fortify'd Places in *Pomerania*, to push their Conquests further, and continue the War with more Violence; a Proof too sufficient to shew how little Security and Certainty there was in such Treaties.

As to the College of Electors, there is but too much appearance that he had gain'd as little there; altho his said Majesty was apt to believe, that had the said Electoral College had full Power from the Emperor, they wou'd have certainly fallen upon some good measures in order to a Peace; not to mention the Authority which the said College has had, and ought to have in all times, which is endeavour'd to be diminish'd by little and little. For by their Answer of the month of *April* to the Letters of his said Majesty, the said Lords Electors approv'd very well the Proposition which he made them of an amicable Agreement and Composition, promising him herein to go along with him by a mutual Good-will; but they made no mention of the Reparation demanded for the Wrongs, Injuries and other Indignities which he complain'd of, which however his Letters requir'd in a special manner: from whence it is easy to judg, that they left him at liberty to take care of his own Affairs, as he should think proper.

And

And forasmuch as his Majesty of *Sweden* has suffer'd so many Outrages and Injuries, without being able to receive any Satisfaction for them ; such as having his Letters intercepted, open'd, fallly decipher'd and interpreted ; his Subjects, Officers and Soldiers imprison'd, after having been rob'd of all they had, and prohibited Commerce, which by the Right of Nature is common to all the World : since the Emperor has disconcerted and hinder'd the Peace or Agreement with the King of *Poland*, and on the contrary assisted him with a great many Troops ; since he has caus'd whole Armies to march into *Prussia* against his Majesty and the Kingdom of *Sweden*, to ruin them ; since he has entirely deny'd him the Passage demanded in all Friendship, and under Cautions and Assurances ; since he has plunder'd his Friends, Allies, Neighbours and Relations (in hatred to his Majesty's Name) who are oppress'd, persecuted and despoil'd of their Dutchies and Lordships, banish'd and chas'd from their Lands and Houses, and almost reduc'd to Beggary ; since he ignominiously debar'd and rejected, in a most barbarous manner, his Ambassadors, who were dispatch'd with full Power to treat of a Peace ; and since, in fine, he sent two strong Armies against his Majesty, without any just Cause or Reason, and even without any Pretext, that may serve for a colour to the wicked Designs of his Enemies. Seeing all this, is there any Person of Understanding and Sense, not prepossess'd with Passion and private Interest, that can deny, but both by Divine and Human Laws, and by the very instinct of Nature, it is lawful to make use of the Means which God puts in our Hands, to resent and avenge our selves for so sensible an Injury ? especially for Kings and Sovereign Princes, particularly when their Honour and Person, the Safety of their States, and the good of their Subjects are concern'd ; when all Appearance of Honour and Satisfaction is deny'd them : it being most true and notorious to all the World, that not only by Menaces and secret Practices, but also by Force and Violence, the Enemy has seiz'd, and would likewise take possession of the Ports and Harbours of the *Baltick* Sea, to establish new Admiralties there, in prejudice of the ordinary Commerce and antient Liberty, and to the total Ruin of the Maritime Towns ; and after such unjust Enterprizes and
 Designs

Designs are yet continu'd by the Preparations of the Enemy both by Sea and Land: Is there any one, I say, that can blame the most Serene King of *Sweden*, for endeavouring by his Arms to defend his Subjects and Friends from such an Oppression?

And to sum up the whole in a few words: Are not we instructed by the Laws of Nature to repel Force by Force? And who is he that will not judg, that his Majesty has been really forc'd against his Will to undertake this just War, and oblig'd thereto by Constraint and urgent Necessity, after having try'd all the ways of Right and Justice, and met with all sorts of Obstructions and Hindrances, instead of the good and wholesome Remedies he propos'd?

Now there remaining no other means to be employ'd but that of Arms, for his own Preservation, and for the Defence and Protection of his Subjects and Friends, he desires that all *Christendom* would judg whether he has not taken them up with Regret, and after being forc'd by extreme Necessity.

If there be found any one of his Enemies who should blame and reproach his Majesty for having taken upon him the Defence and particular Protection of the City of *Stralsund* (the Justice whereof is however very apparent) the blame ought to be imputed to those who gave occasion to it, and who without all reason first attack'd that City, its Ports and Territory, and exercis'd the Ravages and Barbarities mention'd above.

If his Majesty had in any manner favour'd the Enterprizes of the Emperor's and the Empire's Enemies, or if he had enter'd into a League and Association with them, People would not be surpriz'd if they paid him home in his own Coin: but having always persisted in a Resolution to live in Peace, and constantly continu'd in the Amity and Neutrality of both Parties during the Wars of *Germany*, without having ever given any Cause of Suspicion or Offence; he hath at present all the reason in the World to complain to all *Christendom* of the bad and unworthy Treatment he has met with.

For which Cause, his said Majesty of *Sweden* having no Designs to the prejudice of the Empire, against which he protests he has no Quarrel or Enmity whatsoever, has only taken up Arms for the Publick Good, for his own

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Safety,

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Safety, and the Preservation of his Friends, whom he desires to put in the same State and Liberty which they were in before this War, and by the same means to secure for the future the Neighbourhood and the *Baltick* Sea, and his own Kingdom of *Sweden*, against all Violence of Pirates and Robbers.

And to come to a Conclusion ; his Majesty has this Confidence, That all honest People who shall see this Manifesto and his Declaration, and read it without prejudice, and consider the Reasons therein briefly and truly laid down, will find cause for blaming and condemning the Procedure of his Enemies, as most unjust and detestable, most wicked and dangerous Examples for the Electors and other Princes of the Empire, upon whom the like Attempts and Usurpations may be endeavour'd to be made afterwards. He hopes also that all *Germany*, and even all *Christendom*, will favour the just Resolution he has taken to defend himself by Arms, in order to prevent and repel the violent Enterprizes of those Usurpers, who have so unhappily conspir'd his Ruin, and given the Emperor such pernicious Counsels, as tend only to the Usurpation of what is another's, and of the Liberty of *Germany* ; his Majesty being willing favourably to believe, that they have herein exceeded the Powers, Instructions and Commands of the said Lord the Emperor, and eluded the good and wholesome Counsels of the Electors and Princes of the Empire.

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A Treaty between Lewis XIII. King of France, and Charles I. King of Great Britain, for the Restitution of New France, Acadia and Canada, and the Ships and Merchandizes taken on both sides. March 29. 1632.

I N the first place, on the part of his most Christian Majesty, according to the Powers given by him to the Sieurs *de Bovillon*, Counsellor of State to the King, and of his Privy Council; and *Bouthillier*, also Counsellor to the King in the said Councils, and Secretary of his Commands, a Copy whereof shall be inserted at the end of these Presents; it is promis'd and agreed, that the Sieurs *Lumague* and *Vanelly* shall give Caution and Security in the name of his said Majesty, and in their own private Names, presently after the signing and date of these Presents, to pay in the space of two months, counting from the day of the said Date, to Sir *William Wake*, Ambassador of *Great Britain*, or any one that he shall appoint, in the City of *Paris*, the Sum of 64246 Livres, 4 Sols and 3 Deniers, for the Merchandizes and Goods of the Ship call'd *James*, and the Sum of 69896 Livres, 9 Sols, 2 Deniers, for the Merchandizes of the Ship call'd the *Blessing*, the whole at the King's Charges; and that in fifteen days the said two Ships, the *James* and the *Blessing*, being at present in the Port and Harbour of *Diep*, with their Ropes, Guns, Ammunition, Tackle, Furniture and Victuals, which were found at their Arrival at the said *Diep*, shall be restor'd to the said Lord Ambassador of *England*, or to any one whom he shall appoint; and if any thing thereof be found wanting, he shall be paid for it in Specie.

II. And as to the Ship call'd the *Bride*, the value of the Wines and other Merchandizes, as well as of the Body

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of the Ship, the Guns, Ammunition, Tackle, Furniture and Victuals of the same, shall be paid according as all these were sold at *Calais*; as also the Sums to which the rest of the said Ship, that was found in it when it was taken, shall have amounted to, shall be paid upon the foot of the last Sale made at *Calais*; for the Payment of which the said Sieurs *Lumage* or *Vanelly* shall give Caution to pay it at *Paris* to the said Lord Ambassador, or to any one whom he shall appoint in the foresaid Term.

III. On the part of his Majesty of *Great Britain*, the said Lord Ambassador, by virtue of the Power granted to him, which shall be inserted at the end of these Presents, hath promis'd, and doth promise, for and in the name of his said Majesty, to render and restore to his most Christian Majesty all the Places possess'd in *New France*, *Acadia* and *Canada*, by the Subjects of his Majesty of *Great Britain*, and cause them to depart from those Places. And for that effect the said Lord Ambassador shall presently, upon passing and signing these Presents, deliver to the Commissioners of the most Christian King, in good Form, the Power which he hath receiv'd from his Majesty of *Great Britain*, for the Restitution of the said Places, together with the Orders of his said Majesty to such as command in *Port Royal*, *Port Quebec* and *Cape Briton*, to give up the said Places and Fort, and deliver them into the hands of those whom it shall please his most Christian Majesty to appoint, in eight days after the said Orders shall have been notify'd to those who do command, or shall command in the said Places; the said space of eight days being given them to remove, in the mean time, out of the said Places and Fort, their Arms, Baggage, Merchandizes, Gold, Silver, Utensils, and in general every thing that belongs to them: to whom, and to all who live in the said Places, is granted the space of three Weeks after the expiration of the said eight days, for entering (during the said time, or sooner if possible) into their Ships, with their Arms, Ammunition, Baggage, Gold, Silver, Utensils, Merchandizes, Furs, and in general every thing belonging to them, in order to depart thence into *England*, without any longer stay in the said Countries.

IV. And it being necessary the *English* should send to those Places to receive their People, and carry them into
England,

England, it is agreed, that the General of *Caen* shall pay the Charges necessary for equipping a Ship of 200 or 250 Tuns, which the *English* shall send to the said Places, viz. the Allowance of the said Ship for her going and returning, the Victuals for the Men, as well Seamen for carrying the Ship, as those who are of the Land, and are to be carry'd home, and their Wages; and in general every thing necessary for equipping a Ship of the said Burden for such a Voyage, according to the Usage and Custom of *England*.

V. And moreover he shall give Satisfaction for the marketable and lawful Merchandizes, which shall remain unfold in the hands of the *English* in the said Places, according to their Value in *England*, with 30 l. per cent. Profit in consideration of the Hazard and Risk run by Sea, and the Expence of their Carriage.

VI. The said Places shall be restor'd by the Subjects of his said Majesty of *Great Britain*, in the same State they were in at the time of their being taken, without demolishing of any thing that was there at the time of taking them.

VII. The Arms and Ammunitions contain'd in the Deposition of the *Sieur Champlin*, together with the Merchandizes and Utensils which were found at *Quebeck* at the taking of it, shall be return'd either in Specie or in Value, according as the Deposition of the said *Sieur Champlin* bears; and every thing declar'd by the said Deposition to have been found in the said Place at the taking of it, shall be return'd and left in the said Fort, and put into the hands of the *French*; and if any thing shall be wanting of the number of any of the sorts of things, Satisfaction and Payment shall be made by Sir *Philip Burlamachy*, whom his most Christian Majesty shall ordain (besides the Knives, Beavers, and other Debts contracted by the *English*) what is agreed upon below; and that Satisfaction be given to the said General of *Caen*, for and in the name of all those who may have any Interest or Concern therein.

VIII. Moreover, the said Sir *Philip Burlamachy*, on the part of his Majesty of *Great Britain*, for and in the name of his said Majesty, at the Request and Command of the said Lord Ambassador, according to the Order which he has receiv'd, and also in his own private name,

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has promis'd, and does promise to pay to the said General of *Caen*, within three months from the day of the signing and date of these Presents, for all and every the said Furs and Knives, Debts due by the Savages to the said General of *Caen*, and other Merchandizes appertaining to him, found in the said Fort of *Quebeck* in the year 1629. the Sum of Eighty Two Thousand Seven Hundred Livres.

IX. Moreover, to render and restore to him the Bark call'd the *Helen*, its Tackle, Guns, Ammunition and Appurtenances, according to the Memorial given in and prov'd before the Lords of the Council of *England*.

X. There shall be restor'd also to the said General of *Caen*, in the Territory of *Quebeck*, all the Barrels of Bisket, Pease, Prunes, Raisins, Flower, and other Merchandizes and Victuals, which were in the said Bark when it was taken in the year 1629. together with the Merchandizes appertaining to him, which were unloaded and left at *Quebeck* the last year, in the River of *St. Laurence* and *New France*.

XI. And besides, the said Sir *Philip Burlamachy* promises in the name aforesaid, to pay or cause to be paid in *Paris*, to any one whom his most Christian Majesty shall appoint, the Sum of Sixty Thousand Six Hundred Livres within the said time, for the Ships *Gabriel* of *St. Giles*, *St. Anne* of *Havre de Grace*, the *Trinity des Sables d'Orlonne*, the *St. Laurence* of *St. Maloes*, and the *Cap du Ciel* of *Calais*, the Guns, Ammunition, Tackle, Ropes, Victuals and Merchandizes, and in general every thing compriz'd in the Inventories and Estimates of the said Ships made by the Judges of the Admiralty in *England*; as also for the Bark *d' Avis*, sent out by the Associates of Captain *Bontemps*, with the Guns, Ammunition, Tackle, Furniture, Merchandizes and Victuals, the Sum at which the said Bark and Merchandizes, Tackle, Guns and Ammunition shall be valu'd and sold by the Judges of the Admiralty of *England*. And the same for the Ship given by the said Captain *Bontemps* to the *English* brought over into *England*, according to the Valuation thereof, that shall be made as above.

XII. It hath been agreed, That out of the Sums to be restor'd by the *English* and *French*, shall be deducted the Duties of Entry, and what shall have been given for
guarding

guarding the said Merchandizes, and repairing the said Ships; and particularly twelve thousand Livres for what concerns the Duties of Entry of the Merchandizes of the said General of *Caen*, and twelve thousand Livres which he is to pay for the Provisions furnish'd to the *French* at their Return into *England* and *France* in the year 1629.

XIII. Moreover, it has been agreed on both sides, That if since the taking of the said Ships, the *James*, the *Blessing*, the *Gabriel* of *St. Giles*, the *St. Anne* of *Havre de Grace*, the *Trinity des Sables d'Olonne*, the *St. Laurence* of *St. Malo*, the *Cap du Ciel* of *Calais*, any thing has been taken that is contain'd in the Inventories, and not compriz'd in the verbal Processes of the Sales or Estimates; as also if from the time of the taking of the said Ships any thing has been deducted or taken away that was not compriz'd in the Inventories made as well in *England* as in *France*, by the Officers of the Marine, and the Officers of the Admiralty; it shall be lawful for those interested and concern'd in the said Ships, to provide by the ordinary Methods of Justice against such as they can prove culpable for the said Fault, in order to constrain them to make restitution of what they shall have taken away; and that they shall be oblig'd to do this *in solidum, solubile pro insolubili*. However the said interested Persons shall not pretend upon that account to make Reparation and Redress of their Grievances by Reprisals or Letters of Mark, either by Sea or Land.

XIV. For the Execution of what is above specify'd, all necessary Letters and Arrets shall be dispatch'd on both sides, and made ready in fifteen Days.

A Treaty between Lewis XIII. King of France, and Charles I. King of England, for the Re-establishment of Commerce, the 29th of March 1632.

I. **I**T has been agreed, That all Letters of Reprisal, Mark, Arrest and Execution, which have been formerly dispatch'd by either of the Princes for any Cause or upon any Occasion whatsoever, touching the Subjects of the one or the other Prince, shall be revok'd and declar'd null; so that they may not be executed after this on either side.

II. And for the future no Letters of Mark or Reprisal shall be dispatch'd or issu'd on either side for any Cause whatsoever, but after a manifest Denial, or exceeding Delay of Justice; which the Plantiffs shall be oblig'd, before they can obtain the said Letters, to make appear by good Acts, and by the Ambassadors residing at the Court of the one and the other Prince being advertis'd of such Complaints, and Denial or Delay of Justice, even under that Caution expressly stipulated between the two Kingdoms, That altho Letters of Mark or Reprisal should be granted in the foresaid Case, nevertheless they shall not be employ'd or put in execution against any of the Ships, Merchandizes or Persons of the Subjects of the one or the other Prince being in the Ports, Harbours or Roads of either of the said Princes, but only against him or them who has or have committed the Fault.

III. And forasmuch as under the pretext of Search or Visit that may be made by the Men of War of the one or the other Prince, or their Subjects by Sea, of Merchant Ships, to know whether they are loaded with Merchandizes prohibited, or belonging to the Enemy, there have been several Outrages committed for the time past, which have, without any lawful Cause, hinder'd
the

the Courſe of the ſaid Ships, and occaſion'd many other great Damages to Merchants; to obviate ſuch Inconveniencies, it has been agreed, That ſuch Men of War happening to meet at Sea ſuch Merchant Ships, may order them to ſtrike, which the ſaid Merchant Ships ſhall be oblig'd to obey, and preſent their Licences, Commiſſions, and Bills of Lading to the Captains, or ſuch as they ſhall ſend aboard the ſaid Merchant Ships, into which more than two or three at moſt may not enter, nor exact or take any Duties upon pretext of the ſaid Viſit: after which if thoſe of the ſaid Man of War will not forbear notwithstanding this to ſtop the Voyage of the ſaid Ships, whether by carrying them along with them, or obliging them to go aſide out of their Courſe; the ſaid People belonging to the Man of War ſhall in that caſe be answerable for all the Expences, Damages and Interests, and beſides be puniſh'd corporally, according as the Quality and Circumſtances of the Fact ſhall require; for which Expences, Damages and Interests, not only the Delinquents ſhall answer, but likewiſe thoſe who furniſh'd them with Arms and Victuals, and put them to Sea.

IV. Which Captains, Furniſhers of Arms and Victuals ſhall be oblig'd, before the Departure of their Ships out of the Ports or Harbours of either of the ſaid Kingdoms, to give caution beforehand to the Admirals, their Lieutenants or Judges of the Places in *France*, or Judges of the Admiralty in *England*, for the Sum of ten thouſand Livers, not to undertake any thing againſt the Subjects, Ships, Goods and Merchandizes of the one or the other Prince, on pain of corporal Punishment, and Conſiſcation of their Ships, Reſtitution of the Things taken, and all the Expences, Damages and Interests of the Party endamag'd.

V. The Captains, Lieutenants, or Maſters of Ships that ſhall take any Prize, ſhall be oblig'd within twenty four Days after their Arrival to lay all the Books of Accounts, Papers, Licences, Commiſſions, and Bills of Loading, which they ſhall find in the Ships they take, before the Judg of the Admiralty or his Clerk, that ſo the Parties intereſted may take Copies thereof for their uſe; and where there is no Judg Admiral, the ſaid Papers and Bills of Loading ſhall be put into the Hands of the

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King's Officers, to be sent clos'd and seal'd to the Judge Admiral.

VI. In like manner, the said Capers shall be oblig'd to bring along with them the Persons whom they found in the said Ships, or at least the Captain and Master, or two or three of the principal Officers, and present them within twenty four Hours to the Judge Admiral to be examin'd; and in case there be no Judge Admiral, before the Mayors of the Towns or the King's Officers: And they may not hold or keep them Prisoners in their Houses beyond that time, on pain of being punish'd, and losing the Prize; and after the said Prisoners shall have been heard and examin'd, the said Judges shall be oblig'd to set them at liberty, to follow their Affairs as they shall think good.

VII. After the Ships are taken and brought into a Harbour or Port, the Mariners and Seamen may not be banish'd from thence, nor any of their Goods put ashore, without a previous Order from the Judge, and an Inventory made by him or his Deputies in presence of the principal Persons concern'd, whereof a Copy shall be deliver'd to them from the said Judge.

VIII. The two Kings do not mean by these present Articles to derogate any thing from preceding Agreements and Treaties made betwixt them, which shall remain in their Force and Virtue, but only in so far as shall be derogated by these Presents; and particularly that the Treaties in the Years 1600 and 1610 shall be executed *bona fide*.

In Testimony whereof we the Ambassadors and Commissioners aforesaid, by virtue of our Powers, have sign'd the preceding Articles. At *St. Germain en Lay*, the 29th of *March* 1632. sign'd *Isaac, Wake, Bouillon, Bouthillier*.

I undersign'd, Resident in *France* for his Majesty of *Great Britain*, do certify that the Copy above-written is agreeable to the Original. *Auger*.

*A Treaty of Renewal of the Alliance between
Charles I. King of Great Britain, and
Christiern IV. King of Denmark; made
at Gluckstat, the 6th of April 1639.*

WHEREAS the most Illustrious and Potent Princes *Christiern IV.* by the Grace of God, King of *Denmark, Norwegia, &c.* and *Charles,* by the same Grace of God, King of *Great Britain, &c.* agreeably to their Royal Prudence, and from the particular Love and Concern they have for their People, wish nothing more ardently than to renew the Alliances which have been between their Ancestors of happy Memory on both sides, for the Glory of the Omnipotent God, the Peace of the Christian World, and the Prosperity of their respective Subjects, and to tie with a straiter Knot the antient Amity and singular good Offices which have been between them hitherto, and which they have confirm'd for a long time by a peculiar Affection: We *Christiern* Count of *Pens, Lord of Newendorf, Knight, Governor of Rensborch and Gluckstadt;* and *Detlof Reventlouw, Lord of Reets and Sisendorf,* Chancellor to his Royal Majesty, in the Name of the most Serene King of *Denmark:* and in like manner, *I Thomas Rowe* Knight, and Chancellor of the Order of the Garter, and at present Ambassador Extraordinary at the King of *Denmark's* Court, sent for that end by the most Serene King of *Great Britain, &c.* and instructed with proper and sufficient Powers, as appears by our Commissions; have in the Name of our foresaid Princes, for the Renewal of antient Alliances, contracted, accorded and agreed as follows.

I. It has been treated, agreed and concluded, That there shall be for ever a sincere, true and perfect Amity, Peace and Alliance by Sea, Land, and fresh Waters, between the foresaid two Kings, their Heirs and Successors,
their

their Kingdoms, Provinces, Subjects and Vassals, which they have at this present, or shall have afterwards; so that neither they nor their Kingdoms, Provinces, Vassals or Subjects shall do any Damage to one another in their Goods or Persons, nor consent that any be done them, but shall embrace the Benefit and Advantage of one another; as also the respective Subjects shall do so as much as in them lies; and shall hinder by Counsel and Deed the Damage and Ruin of one another, as if it was their own.

II. It is agreed, &c. That as soon as either of the foresaid two Kings, or their respective Subjects, shall perceive that any thing is done, demanded or treated to the Prejudice and Damage of the other, they shall be oblig'd to advertise one another thereof, and hinder and stop it as if it immediately affected themselves.

III. It is agreed, &c. and the foresaid two Kings sacredly promise for themselves, their Heirs and Successors respectively, that they will never assist their Enemies with any warlike Aid; and that their Subjects or Inhabitants, of whatever Nation or Quality they be, or under any pretext of Navigation or free Commerce, or any other pretext whatsoever, shall not assist their Enemies by Counsel, Money, Arms, Musquets, Instruments, or any other Engines for making War; and if any one do the contrary, he shall be punish'd as an Infringer of Alliance, and a Disturber of the publick Quiet.

IV. It is agreed, That if any one happens to make War upon either of the two Kings, or their Kingdoms and Countries, without having been first provok'd thereto, or endeavours to attempt upon their Rights and Privileges by violence, or attempts to possess himself of any thing in the said Kingdoms, Provinces or Countries which do not belong to him, the one shall assist the other against this third Person within four Months at farthest, and without delay (provided he be not engag'd in War himself) *viz.* with eight Ships, four of 150 to 200 Tons, mann'd with 150 to 200 Men, and mounted with twenty Pieces of Cannon; and the other four of 100 to 150 Tons, mann'd with from 100 to 120 Men, and mounted with sixteen Pieces of Canon: and the said Ships shall obey the Admiral of that King to whose Assistance they are sent, which Assistance shall endure as long as the War, at least till the King assisting falls

falls into it himself, as has been said above, and without any grudging the Expence: and the said Ships shall be provided by the King who assists, of all Arms and necessary Provisions for three Months, counting from the Day of their going off; so that as many Provisions as shall be necessary for the rest of the time, shall be furnish'd by the King to whom the Succours shall be sent, in the same Manner and Goodness, as they are us'd to furnish their own.

V. It is agreed, &c. That if any one in any Expedition happens to take any Provinces, Towns, Castles, Fortresses, or other Places belonging or that have belong'd to either of the said Kings, or situated within their Dominions, they shall be given up to him to whom they do or have belong'd.

VI. If in the said Expedition any Towns, Provinces, Castles, Fortresses, or other Places happen to be taken, they shall be shar'd and divided betwixt the said Kings, in proportion to the Number of Troops and Soldiers that each Prince has furnish'd.

VII. In the same manner, and according to the Number and Quantity of Troops and Ships, all the Booty and moveable Goods shall be divided that shall be taken in War from the Enemy as well by Water as by Land, in any Place whatsoever, within or without the States of the said confederated Kings.

VIII. It is agreed, &c. That as often as either of the said Kings shall demand of the other a greater Number of Forces or Ships, or Assistance in Money, in the fore-said Case of mere Defence, he who shall be requir'd shall be oblig'd to comply therewith as much as possible, having always regard to Time, the Reasons of Place, and State of his own Affairs. In which the King asking shall refer himself to the Conscience of the King giving Assistance; but so that the Expence of the War by that extraordinary Assistance, or the Money lent shall be refunded to him who has been at that Expence, and lent that Money by him who receiv'd the same.

IX. It is agreed, &c. That in case, when such extraordinary Assistance is finish'd, the Booty taken by Sea shall by computation be divided equally among all the Ships; the eight Ships of ordinary Assistance shall receive each their Share: but for the Ships of extraordinary

nary Assistance, the Third shall be taken out of it, and given to the King who shall return the Expences.

X. It is agreed, &c. That neither of the two Kings may make Peace, or any other Transaction with the Enemy against whom they shall have taken up Arms in the manner abovesaid, without comprehending the other with his Provinces and Subjects.

XI. It is agreed, &c. That if the King demanding Assistance shall himself be the Aggressor, the other King of whom Succours shall be demanded, shall be authoriz'd to recall the same within the Bounds of Justice, and propose reasonable Articles of Peace without Dissimulation or Finess, and may pers him to accept the Peace. And if he refuses it, and will not hearken to Reason, then the other shall not be oblig'd to assist him; however, the Alliance shall remain in its Force, and shall not be weaken'd for all that.

XII. It is agreed, &c. That neither of the two Kings shall receive into his Kingdoms and Provinces any Enemy or Rebel of the other, nor hide or suffer them to remain beyond the space of four Months, if he knows them to be his Enemies, or Rebels to him.

XIII. It is agreed, &c. That the Subjects of both Kings shall be at liberty to go and frequent the Provinces, trading Cities, Harbours, Rivers of one another, whether by Land or Sea, with their Merchandizes, to negotiate there, without receiving any Impediment, paying the usual Customs and Duties; but so that the Laws and Statutes of the Provinces to which all other Nations are liable, shall not be violated in any manner.

XIV. It is agreed, &c. That the Subjects of the most serene King of *Great Britain* shall not go to the prohibited Ports, whereof mention is made in the preceding Alliances, without the special Consent of the King of *Denmark*, unless they be forc'd into them by Storm or other Danger by Sea, in which case they may not have the least Trade in the said Ports.

XV. It is agreed, &c. That if any of the Subjects of the one King shall suffer Shipwreck upon the Coasts of the other, they may carry the Pieces of the Ship, and Merchandizes ashore, without any Person's hindering them; but on the contrary, the Inhabitants of that Place, if they are thereto requir'd, shall lend Assistance

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in who suffer'd Shipwreck for a reasonable Reward,
der to save all that can be sav'd.

VI. That if the Subjects of the one King shall be
'd in the States of the other, or suffer any Damage;
ing of that Place shall be oblig'd to make satisfac-
according to Justice and the Laws, and that as
ily as the Law and Custom of the Place will allow,
to punish him who did the Wrong.

VII. That no private Person shall make any unjust
apt against this Alliance, nor stir up Hatred or
rness between the said Nations; but every one
answer for his own Deed, and shall be answerable
aw and Justice for that effect; nor shall one suffer
he Act of another, by way of Reprisal or any o-
dious Procedure, but the Criminal shall be ob-
to answer for his own Deed.

VIII. It is agreed, &c. That if any Difference
larise (which God forbid) between the two Kings
eir Kingdoms for the future, against all Expecta-
it shall be accommodated in an amicable manner,
ut any prejudice to this Alliance.

IX. As the *Orcades* or *Schetland* cannot without
antage and Detriment to both Parties be excluded
this Treaty, so all Negotiations during the Life
two Kings or one of them shall remain undif-
nor shall any Change or Alteration be made;
ight of the Successors remaining in its due-State
mean time.

It is agreed, &c. That none of the preceding
s or Agreements are chang'd or alter'd by these
; but only in so far as is express'd in this Treaty.

It is agreed, &c. That the foresaid most serene
Christiern the Fourth King of *Denmark*, and
King of *Great Britain*, shall sincerely observe all
ticles concluded at *Gluckstadt*, the 6th of *April*

The Contract of Marriage between William of Nassau Prince of Orange, and Henrietta Maria of England, Daughter to Charles I. King of Great Britain; made in the Year 1640.

IN the Name of the Omnipotent God : Be it known to all present and to come. Whereas the most High, most Excellent and most Potent Prince *Charles*, by the Grace of God, King of *Great Britain, France and Ireland*, Defender of the Faith, &c. has been several times requested, and receiv'd diverse Propositions on the part of the most High and most Potent Prince *Henry Frederick*, also by the Grace of God, Prince of *Orange*, &c. desiring more and more not only to confirm the Amity and particular good Correspondence between his Majesty and the Lords the States General of the *United Provinces of the Low Countries*, and their Crowns and States ; but likewise the Honour and Growth of the House of *Orange*, by the Marriage of the most High and Excellent Prince *William*, Son to his said Highness of *Orange* : And that for concluding so good a Work, they sent to his Majesty of *Great Britain*, *John Wolfert van Brederode*, Lord of *Brederode*, Baron of *Vienna* and *Amejde*; *Francis van Aerssen*, Lord of *Somerdyck* and *Plate*, Knights, &c. *John van Kerkhoven*, call'd *Poliander*, Lord of *Haenvliet*, &c. and *Albert Joachimi Knight*, Lord of *Oftend* in *Oudekerk*, &c. Ambassadors Extraordinary with full Power ; insomuch that his said Majesty deputed some of his Chief Counsellors of State, viz. the Lords, the Bishop of *London*, High Treasurer of *England*; *James Marquis of Hamilton*, his Majesty's Master of the Horse; *Thomas Earl of Arundel* and *Surry*, Marschal of *England*; *Algernon Earl of Northumberland*, Lord High Admiral of *England*; *Philip Earl*

Earl of *Pembroke* and *Montgomery*, Chamberlain of his Majesty's Household; *Edward* Earl of *Dorset*, &c. Great Chamberlain to the Queen of *Great Britain*; *Henry* Earl of *Holland*, first Gentleman of his Majesty's Bed-chamber, all Knights of the most Noble Order of the Garter; and *Henry Vane* Knight, Treasurer of the King's Household, first Secretary of State; all and every one of them Counsellors of his Privy Council; and given them Power to hear the said Propositions, to treat, conclude and settle with the said Lords Deputies and Ambassadors Extraordinary of the Lords the States General and the Prince of *Orange* the Articles of the fore-said Marriage: so that after several Meetings they have concluded the same to the Liking and Satisfaction of his fore-said Majesty, the said Lords the States General, and of his Highness the Prince of *Orange*, in the following Form and Manner.

I. It is agreed, That the Marriage between the fore-said Princess *Mary*, eldest Daughter to his Majesty of *Great Britain*, and the Prince *William*, Son to his Highness of *Orange*, shall be celebrated in *England* in their own Persons in good and legal Form, after the Prince's Arrival there; but the fore-said Princess shall not be transported into the *Low-Countries* till she be full twelve Years of Age.

II. Then the Princess shall be carry'd over into *Holland* as soon as possible, as far as *Rotterdam*, at the Expence of his Majesty of *Great Britain*, where she shall be given over to those whom his Highness shall appoint for that effect; and from *Rotterdam* she shall be carry'd to the Place of her Residence at the Expence of his Highness; the whole to be perform'd suitably to the Dignity of a Princess of the Family of *Great Britain*.

III. The Portion of the Princess shall be Forty Thousand Pound Sterling, to be paid in two Years after the Solemnity of the fore-said Marriage, at the City of *Amsterdam* in *Holland*, by an equal Portion from six Months to six Months.

IV. The Dowry of the Princess shall be Ten Thousand Pound Sterling a year assign'd in good Lands to the said Princess, and two Houses well and duly furnish'd, one of which shall be at the *Hague*, and the other on the Jointure-Lands; and the fore-said Dowry shall be

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equally paid to the Princesses every year from three Months to three Months.

V. His Highness of *Orange* shall, before the Marriage, put the Lands assign'd for the Dowry into the Hands of the Commissioners of his Majesty of *Great Britain*, for the greater Assurance of the annual Payment of the foresaid Ten Thousand Pound Sterling during the Life of the foresaid Princesses.

VI. Fifteen Hundred Pound Sterling shall be paid every year quarterly by equal Portions to the said Princesses for Pocket Money, besides her Maintenance, Clothes, and Wages of Officers and other Domesticks.

VII. The Domesticks that the said Princesses shall carry over with her into *Holland* shall be chosen by his Majesty of *Great Britain*; and if they come to die, or if she has a mind to change them, she may chuse other *English* in their room, with the Consent of his Highness. And the foresaid Domesticks shall not exceed the Number of twenty six Men as well Officers as others, and forty Women, taking in Ladies, Maids of Honour and others, who in all shall make forty Persons.

VIII. And in case the young Prince shall die before the said Princesses, without leaving a Child of their Marriage, all her Portion which she shall have brought, or which shall have been paid, shall be entirely restor'd, to be dispos'd of at her Pleasure, whether she return to *England*, or remain in *Holland*.

IX. But if there remain Children of the said Marriage, only half of the Portion shall be restor'd, whether she returns to *England* or remains in *Holland*; and the yearly Income of the other half belonging to the Children shall be paid her during her Life to the twentieth Farthing.

X. If the said Princesses should happen to die before the young Prince of *Orange*, without Children of the said Marriage; it shall be lawful for the King of *Great Britain* not to demand the Restitution of above half of the Portion, and in case of Children the whole Portion shall fall to the said young Prince of *Orange*; nevertheless the Children shall not be marry'd without the Advice and Consent of his Majesty, or without the Knowledg and Advice of his Successors: and if the said Princesses have no Sons, the Daughters shall be portion'd

tion'd suitably, and according to the Dignity of their Birth, besides their Share of all their Mother's other Goods.

XI. The Children of the said Marriage shall also inherit, after the Death of the said Princess, half of the said Portion that shall be restor'd, unless the said Princess enter into a second Marriage, and unless she have Children of the second as well as of the first Marriage; in which case the one and the other shall have a Share of that half restor'd to the Princess.

XII. And in case the said young Prince of *Orange* comes to die without a Child or Children, the said Princess shall have liberty to chuse for her Dwelling what Place she pleases of the Dowry assign'd her; and to keep the Castles and Houses thereon depending, two whereof shall be such as that she may make her Residence in them, and furnish'd as they should be. The free Disposal of Benefices and Offices in her foresaid Lands (one of which shall be a Dutchy or County) shall belong to the foresaid Princess.

XIII. The Princess shall be at liberty, whether she have Children or no, to return into *England*, with all her Movables, Baggage, Jewels, and her other Goods which she brought beside her Portion, as is specify'd above.

Articles of Peace and Commerce between the High and Potent Charles I. by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith, and John IV. King of Portugal, &c. and their Subjects; concluded at London, the 29th of January 1642.

WHEREAS the High and Mighty Prince John the Fourth, King of *Portugal*, &c. hath sometime ago sent his Ambassadors to the King's most Excellent Majesty, who declar'd, it was his Desire to renew the antient Alliance and Amity that were between the Kings their Predecessors, their Crowns and Subjects; His Majesty being mov'd by the Concern he has for the Preservation of the Peace and Tranquillity of his Kingdoms, and the Liberty of Trade and Commerce of his well beloved Subjects, by the Advice of his Privy Council has consented thereto, and makes known to all his well beloved People, That the said Peace and Alliance has been concluded and establish'd between the said Kings, their Kingdoms, Territories and Subjects: and the King's most Excellent Majesty has commanded the Articles of the present Treaty to be publish'd, to serve for a Direction to his Merchants in their Commerce; and has expressly enjoin'd and commanded all his Subjects, of what Quality or Condition soever, to observe them. Given in our Court at *York*, the 22d Day of *May*, in the Year of Grace 1642. and of our Reign the Eighteenth. God save the King.

The Articles of Treaty.

I. **I**T has been concluded and agreed, That there be and shall be for ever a good, true and firm Peace and Amity between the most Renown'd Kings, *Charles* King of *Great Britain*, and *John IV.* King of *Portugal*, their Heirs and Successors, and their Kingdoms, Countries, States, Lands, People, Ships and Subjects whatsoever present and to come, of what Quality or Condition soever they be, as well by Sea as by Land and fresh Waters; so that the said Ships and Subjects shall treat one another favourably, and render one another all manner of good Offices of true Amity and Affection; and that the said most renown'd Kings, their Heirs and Successors, shall not do or undertake any thing, either by themselves or by other Persons, against one another, nor against their Kingdoms, by Sea or Land, nor consent or adhere to any War, Counsel or Treaty, that may be to the prejudice of the one or the other.

II. That there is and shall be between the foresaid most renown'd Kings and their Ships, Inhabitants and Subjects on both sides, a free Commerce as well by Sea as by Land and fresh Waters, in all and every one of their Kingdoms, Lordships, Dominions, Islands, and other Lands, Cities, Towns, Villages, Harbours and Territories of the said Kingdoms and States; in which there has been Commerce from the time of the Kings of *Castile*, or has been always to this present; so that the Subjects and Vassals of both Kings, may go, enter and sail, without any Passport, or other general or particular Permission, as well by Sea as by Land and fresh Waters, in the Kingdoms and Dominions aforesaid, and in the Cities, Towns, Harbours, Rivers, Roads and Territories thereof; and there carry Merchandizes, and Loads or Carriages upon Waggons, Horses, or in Ships laden or ready to be laden; there to sell and buy as much Provision as they please, and furnish themselves with every thing necessary for their Subsistence, Voyages or Journys; and there mend or repair their Ships or Waggons, whether they belong to them in property, or they be hir'd or borrow'd: and that they may depart with

the same Freedom from thence, with their Goods, Merchandizes, and other things whatsoever, after having paid only the usual Duties and Customs on the foot that they are establish'd by the Ordinance of each Place, to go from thence to their own Countries, or to any other Places whatsoever, that they shall please, and when they think fit, without any Trouble or Impediment given them.

III. That the Subjects of both the above-mention'd renown'd Kings shall not be ill treated in the Territories of either, more than the Natives of the Place, in their Sales and Contrasts for Merchandizes, either as to the Price or otherwise; but that the Condition of Strangers and of Natives shall be equal and alike, as is said, agreeably to what has been practis'd in the Execution of the Treaties made between the most renown'd Kings of *Great Britain* and *Castile*.

IV. That the Subjects of the most renown'd King of *Great Britain* shall enjoy a full and entire Freedom of Trade and Commerce in all sorts of Merchandizes in the Kingdoms, Provinces, Territories and Isles of the most renown'd King of *Portugal* in *Europe*; and may carry on their Trade and Commerce in the said Places, as freely and in the same manner as is allow'd to the Subjects of the other Princes and States in Alliance with the King of *Portugal*; and that they shall not be bound to pay greater Duties, Customs, Imposts, or other Taxes than the Inhabitants and Subjects of the said Countries, or the other Subjects of any other Nation whatsoever in Alliance with *Portugal*: and they shall enjoy the same Privileges as were formerly granted to the *English* before the Union of *Portugal* and *Castile*.

V. That as often as the Subjects of the King of *Great Britain* shall arrive with their Ships in the Harbours of the most renown'd King of *Portugal*, in his Kingdoms and Dominions, they shall not be oblig'd to load or embark in their Ships any other Sort or Quantity of Commodities or Merchandizes, than what the said Subjects of the King of *Great Britain* shall please, and think good; and that the Subjects of the King of *Portugal* shall enjoy the same Liberty in the Harbours and Dominions of the King of *Great Britain*.

VI. In case any of the Subjects of the most renown'd King of *Portugal*, or any other whatsoever, within the Extent of his Kingdoms and States, or their Goods and Merchandizes, be seiz'd, taken or arrested by the Officers of the Court of Inquisition, or by the Judges or Ministers thereof, who are or may be afterwards indebted to the Subjects of the most renown'd King of *Great Britain*, the said Debts shall be entirely paid with the Mony arising from the said Goods and Merchandizes the following Year, which shall begin from the Day of the said Seizure and Arrest, without any Trouble or Hindrance from the said Court, or from the Judges and Ministers thereof in any manner whatsoever; and if any part of the Goods and Merchandizes of the said Subjects of the King of *Great Britain* remain yet untouch'd, among the said Goods and Merchandizes thus seiz'd and arrested, they shall be restor'd to them without delay.

VII. That the Captains, Masters, Officers and Mariners of the Ships of the most renown'd King of *Great Britain* shall not begin any Pursuits, nor procure any Trouble against the said Ships, nor against any of the Subjects of the said King, within the Extent of the Kingdoms and Dominions of the King of *Portugal*, for their Wages or Salaries, on pretext that they will make profession of the *Romish* Religion, or that they will list themselves in the Service of the most renown'd King of *Portugal*.

VIII. That the Consuls nominated and establish'd by the most renown'd King of *Great Britain*, for the Aid and Protection of his Subjects, living within the Extent of the Kingdoms and States of the most renown'd King of *Portugal*, shall fully and freely exercise the Function and Business of Consuls in the Extent of the said Kingdoms and States, altho they do not make profession of the *Romish* Religion.

IX. In case any of the Subjects of the most renown'd King of *Great Britain* happen to die within the Extent of the Kingdoms and States of the most renown'd King of *Portugal*, their Books, Accounts, Merchandizes and Goods, or those of any other Subjects whatsoever of the King of *Great Britain*, shall not from henceforth be taken or seiz'd by the Judges of Orphans or People ab-

sent, nor by their Ministers or Officers, nor shall they be under their Jurisdiction; but the said Goods, Merchandizes and Accounts shall be deliver'd by those in whose Possession they shall be, into the Hands of the *English* Agents or Factors living in the Town or Place where they shall have deceas'd, and who shall have been nam'd and appointed by the Defunct: and if the Person deceas'd has nam'd none in his life time, they shall be put into the Hands of one or two *English* Merchants (provided they be not marry'd) by the Authority of the Conservator; and they shall oblige themselves to give up and restore the said Goods and Merchandizes to the true Owners, or to their lawful Creditors; and the Goods which shall be found to belong to the Defunct, shall be put into the Hands of his Heirs, Executors and Creditors.

X. That the most renown'd King of *Portugal* or his Ministers, within the Extent of his Kingdoms and States, may not retain the Ships of the Subjects of the most renown'd King of *Great Britain*, nor his Subjects, without his Knowledg and Consent, for warlike Services or any other Service whatsoever; but the said Ships and Subjects may freely depart, when they please, from the Ports and Harbours of the said King, without any Hindrance from the King of *Portugal* or his Ministers: and the Goods and Merchandizes of the Subjects of the King of *Great Britain* may not be taken for the Service of the King of *Portugal*, but only at the current and reasonable Price, to be paid within two Months, unless both Parties agree upon some other time.

XI. That the Subjects of the most renown'd King of *Great Britain* may carry their Ships, all sorts of Goods, Commodities and Merchandizes whatsoever, and even Arms, Victuals, or any other Provisions of that nature, out of the Ports and States of the said King, or out of any other Ports or States whatsoever, provided they do not carry them strait out of the Ports of *Portugal*, or the Dominions thereupon depending, to be transported into the Ports and Territories of the most renown'd King of *Castile*; and that neither the renown'd King of *Portugal* nor his Subjects may, by way of Seizure, Reprisal, or any other Method whatsoever, hinder the said Ships, Goods or Persons of the Subjects of the King

of *Great Britain* from sailing safely into the Ports and Territories of the said King of *Castile*, and there carry on their Trade and Commerce: and that the Subjects of the Kings of *Great Britain* and of *Portugal* shall have the same Power on both sides; if afterwards it should happen that the one or the other of the said Kings should make War upon the Friends of the other: and the Subjects of the King of *Great Britain* may bring all sorts of Merchandizes, and even Arms, Victuals, or any other sort of Provisions whatsoever, and things of the like nature, into the Kingdoms and States of the King of *Portugal*, and may there sell them as they think good, in open Market, without any Hindrance from the most renown'd King of *Portugal* or his Ministers.

XII. And that the Treaty of Truce made with Don *Michael de Noronha*, Count *de Linhares*, Viceroy of *Goa*, and *William Metwold* President of the *English* in the *East-Indies*, the 20th of *January* 1635. N. S. shall be continu'd and kept between the Subjects of both Kings in the *East-Indies*, and in all the States of the most renown'd King of *Portugal* beyond the Cape of *Good Hope*; and that the Commissioners to be nam'd by both Kings shall within three Months take cognizance of the Demands which have been or shall be made by the Subjects and Ships of the said Kings, in the *East-Indies*, with relation to their Commerce in the said *Indies*; that so by this means a perpetual Peace and Alliance may be establish'd and confirm'd by both Kings, between their Subjects on both sides.

XIII. And forasmuch as the free Commerce and Navigation of the Subjects of the King of *Great Britain*, on the Coasts and Parts of *Africa*, in the Island of *Sr. Thomas*, and in the other Islands there, could not hitherto be establish'd and agreed, thro the Default of the Powers which the most renown'd King of *Portugal* had sent to his Ambassadors; (that the present Treaty of Peace and Amity between the two Kings and their Subjects may not be retarded by this Difficulty and Contest) it has been concluded of both sides, That in the Lands, Forts, Castles, Ports and Coasts of *Africa*, *Guinea*, &c. the Island of *Sr. Thomas*, and in all the other Islands comprehended therein, where it can be made appear that the *English* have liv'd for the Traffick

of Merchandize, or have had Trade and Commerce from the Times of the Kings of *Castile*, or ever to this time, there shall be no Alteration or Change, nor shall they be molested or injur'd in any manner by the *Portuguese* upon that score: That if any Duty or Customs are to be demanded of the Subjects of the King of *Great Britain*, upon any account whatsoever, in the Castles, Isles or Forts aforesaid, they shall not be greater or higher than what shall be demanded of other Nations in Alliance with the King of *Portugal*; and in case the Subjects of the King of *Portugal* shall stand in need of foreign Ships for their Navigation and Commerce towards the Coast of the said Isles, they may hire the Ships of the Subjects of the King of *Great Britain*. And that the two Kings shall name Ambassadors and Commissioners, who shall confer and agree upon a Treaty touching the free Commerce and Navigation upon the Coasts, and in the Isles and Places aforesaid, which has been demanded by the Commissioners of the King of *Great Britain*, for the Subjects of their King; being persuaded, in confidence of the antient Amity which has been betwixt the Predecessors of the said Kings, that the most renown'd King of *Portugal* will not grant more ample Privileges, Rights and Immunities to any other Nation, than to the Subjects of the King of *Great Britain*.

XIV. And whereas the most renown'd King of *Portugal* has, by his Concession, confirm'd by his Seal, dated at *Lisbon* the 21st of *January* 1641. given full Power to the Inhabitants of the Lands subject to the Lords the States of *Holland*, &c. to bring and transport within and without his Kingdoms, States and Territories, all sorts of Merchandizes; therefore the Subjects of the King of *Great Britain* shall have and enjoy the same Privilege in the Kingdoms and Estates of the said most renown'd King of *Portugal*, conformably to the Tenour of the said Concession.

XV. And that the *English* Merchants and other Subjects of the King of *Great Britain* shall enjoy the same, and as great Privileges and Immunities, as to their being imprison'd, arrested, or any other way molested in their Persons, Houses, Books of Accounts, Merchandizes and Goods, within the Extent of the States of the most re-
nown'd

noun'd King of *Portugal*, as have been, or shall be for the future granted to any Prince or People in Alliance with the King of *Portugal*.

XVI. And forasmuch as there has been no Agreement hitherto made touching the Freight of Ships belonging to the Subjects of the most renown'd King of *Great Britain* by the *Portugueze* for their Commerce and Navigation in *Brazil*; it has seem'd good to both Parties, That there be Ambassadors and Commissioners deputed and sent by the said King within two Years, who shall have Power to treat and agree upon this Article.

XVII. And forasmuch as the Benefits of Commerce and Peace would be render'd fruitless, if the Subjects of the most renown'd King of *Great Britain* were molested on the account of their Consciences, so long as they go to the Kingdoms and States of the most renown'd King of *Portugal* for Commerce or Business; Therefore, that their Commerce may be safe and secure as well by Sea as by Land, the most renown'd King of *Portugal* shall take care, and give Orders that they be not molested or troubled on the said score of Conscience, provided they give no Scandal to others. And altho the most renown'd King of *Portugal* acknowledges he has no Power to determine or dispose of Faith and Religion, nevertheless from a motive of Amity and great Affection, which he has for the most renown'd King of *Great Britain* and the *English* Nation, he will take care that the *English* and the other Subjects of the said King have and enjoy as great Liberty in the Practice and Exercise of their Religion in all the Kingdoms, States and Territories of the King of *Portugal*, as shall be allow'd to the Subjects of any other Prince or Commonwealth whatsoever.

XVIII. That if it should happen afterwards (which God forbid) that any Difficulties or Doubts should arise between the two most renown'd Kings, which might give occasion to apprehend the Interruption of Commerce and Correspondence between their Subjects; Publick Advice thereof shall be given to the Subjects of both sides in all and every the Kingdoms, States and Provinces of both Kings: and after that notice given, they shall be allow'd two Years on both sides, to transport their Merchandizes and Goods; and that in the mean time there shall

330 *Treaty between England and Portugal.*

shall be no Injury or Prejudice done to any Persons or Goods on either side.

XIX. And if during the present Peace and Amity, any thing should be undertaken, committed or done contrary to the Force and Effect thereof, either by Sea, Land or fresh Waters, by either of the foresaid Kings, their Heirs or Successors, their Ships or Subjects; nevertheless the present Peace and Amity shall remain in its force and virtue, and only the Contraveners and Criminals shall be punish'd for their Contravention.

XX. It has been concluded and agreed, That the present Peace and Alliance shall in no wise derogate from the Alliances and Confederacies formerly made and contracted between the most renown'd King of *Great Britain*, and other Kings, Princes and Commonwealths; but that the said Confederacies and Alliances shall be firmly preserv'd, and remain for the future in full force and virtue, the present Treaty of Peace notwithstanding.

XXI. Finally, it has been concluded, That the said most renown'd Kings, *Charles* of *Great Britain*, &c. and *John* the Fourth King of *Portugal*, &c. shall sincerely and faithfully observe and keep, and cause their Subjects to observe and keep all and singular the Capitulations concluded and agreed in the present Treaty; and that they shall do nothing directly or indirectly contrary thereto; and that they will confirm and ratify all and every the Conventions aforesaid, by their Letters Patent sign'd with their Royal Signs, and seal'd with their Great Seals in good and due Form; and deliver them, or cause them to be deliver'd faithfully, really and effectually; and shall reciprocally oblige themselves by Promise on the Word of a King, that they shall observe and keep all and every the Things above, as often as they shall be thereto requir'd by the one or the other Party; and that they shall cause the present Peace and Amity to be publish'd in the usual manner, as soon as may be.

The

The fatal Letter of the Marquiss of Montros to King Charles I. deliver'd the Night before the Treaty of Uxbridge was to have been sign'd, and which hinder'd his Majesty from signing it next Morning, as he had promis'd.

May it please your Sacred Majesty,

THE last Dispatch I sent your Majesty, was by my worthy Friend, and your Majesty's brave Servant, Sir William Rollock, from Kintore near Aberdeen, dated the 14th of September last, wherein I acquainted your Majesty with the good Success of your Arms in this Kingdom, and of the Battels the Justice of your Cause has won over your obdur'd Rebel-Subjects. Since Sir William Rollock went, I have travers'd all the North of Scotland, up to Argyle's Country, who durst not stay my coming, or I should have given your Majesty a good account of him e'er now. But at last I have met with him yesterday to his Cost, of which your gracious Majesty be pleas'd to receive the following Particulars.

After I had laid waste the whole Country of Argyle, and brought off Provisions for my Army of what could be found, I receiv'd Information that Argyle was got together with a considerable Army, made up chiefly of his own Clan, and Vassals and Tenants, with others of the Rebels that join'd him; and that he was at Innerlochy, where he expected the Earl of Seaforth, and the Sept [Family] of the Fraziers, to come up to him with all the Forces they could get together. Upon this Intelligence I departed out of Argyleshire, and march'd thro Lorn, Glenco and Aberdeen, till I came at Lochness; my Design being to fall upon Argyle, before Seaforth and the Fraziers could join him. My March was thro inac-

cessible

cessible Mountains, where I could have no Guides but Cow-Herds, and they scarce acquainted with a Place but six Miles from their own Habitations. If I had been attack'd but with one hundred Men in some of those Passes, I must have certainly return'd back; for it would have been impossible to force my way, most of the Passes being so strait, that three Men could not march abreast. I was willing to let the World see, that *Argyle* was not the Man his Highland-men believ'd him to be, and that it was not impossible to beat him in his own Highlands. The difficultest March of all was over the *Lochaber* Mountains, which we at last surmounted, and came upon the back of the Enemy when they least expected us, having cut off some Scouts we met about four miles from *Innerlochy*. Our Van came within view of them about five a Clock in the Afternoon, and we made a Halt till our Rear was got up, which could not be done till eight at night. The Rebels took the Alarm, and stood to their Arms as well as we all night, which was Moon-light, and very clear. There were some few Skirmishes between the Rebels and us all night, and with no Loss on our side but one Man. By break of day I order'd my Men to be ready to fall on upon the first Signal, and I understand since by the Prisoners the Rebels did the same. A little after the Sun was up, both Armies met, and the Rebels fought for some time with great Bravery; the Prime of the *Campbels* giving the first Onset, as Men that deserv'd to fight in a better Cause. Our Men having a nobler Cause, did Wonders, and came immediately to Push of Pike and Dint of Sword, after their first Firing. The Rebels could not stand it, but after some Resistance at first, began to run, whom we pursu'd for nine Miles together, making a great Slaughter; which I would have hinder'd if possible, that I might save your Majesty's misl'd Subjects: for well I know your Majesty does not delight in their Blood, but in their returning to their Duty. There were at least fifteen hundred kill'd in the Battel and the Pursuit, among whom there are a great many of the most considerable Gentlemen of the name of *Campbel*, and some of them nearly related to the Earl. I have sav'd and taken Prisoners several of them, that have acknowledged to me their Fault, and lay all the blame on their Chief.

Chief. Some Gentlemen of the *Low-Lands*, that had behav'd themselves bravely in the Battel, when they saw all loft, fled into their old Castle; and upon their Surrender I have treated them honourably, and taken their Parole never to bear Arms against your Majesty. [*Here are six or seven Lines, that for the Honour of some Families are better left out than mention'd.*] We have of your Majesty's Army about two hundred wounded, but I hope few of them dangerously. I can hear but of four kill'd, and one whom I cannot name to your Majesty but with Grief of Mind, Sir *Thomas Ogilvy*, a Son of the Earl of *Airly's*, of whom I have writ to your Majesty in my last. He is not yet dead, but they say he cannot possibly live, and we give him over for dead. Your Majesty had never a truer Servant, nor there never was an honest braver Gentleman. For the rest of the Particulars of this Action, I refer my self to the Bearer Mr. *Hay*, whom your Majesty knows already, and therefore I need not recommend him.

Now, sacred Sir, let me humbly intreat your Majesty's Pardon, if I presume to write you my poor Thoughts and Opinion about what I heard by a Letter I receiv'd from my Friends in the *South* last Week, as if your Majesty was entring into a Treaty with your Rebel-Parliament in *England*. The Success of your Arms in *Scotland* does not more rejoice my Heart, as *that News from England is like to break it*. And whatever come of me, I will speak my Mind freely to your Majesty; for it's not mine, but your Majesty's Interest I seek. When I had the Honour of waiting upon your Majesty last, I told you at full length what I fully understood of the Designs of your Rebel-Subjects in both Kingdoms, which I had occasion to know as much as any one whatsoever, *being at that time, as they thought, entirely in their Interest*. Your Majesty may remember how much you said you were convinc'd I was in the right in my Opinion of them. I am sure there is nothing fallen out since, to make your Majesty change your Judgment in all those things I laid before your Majesty at that time. The more your Majesty grants, the more will be ask'd; and I have too much reason to know that they will not rest satisfy'd with less than making your Majesty a King of Straw. I hope the News I have receiv'd about the Treaty

334 *Montross's Letter to K. Charles I.*

Treaty may be a Mistake; and the rather, that the Letter wherewith the Queen was pleas'd to honour me, dated the 30th of *December*, mentions no such thing: yet I know not what to make of the Intelligence I receiv'd, since it comes from Sir *Robert Spotswood*, who writes it with a great Regret; and it's no wonder, considering no Man living is a more true Subject to your Majesty than he. Forgive me, sacred Sovereign, to tell your Majesty, that, in my poor Opinion, it is unworthy of a King to treat with Rebel-Subjects, while they have a Sword in their Hands. And tho God forbid I should stint your Majesty's Mercy, yet I must declare the Horror I am in, when I think of a Treaty, while your Majesty and they are in the Field with two Armies; unless they disband, and submit themselves entirely to your Majesty's Goodness and Pardon. As to the State of Affairs in this Kingdom, the Bearer will fully inform your Majesty in every particular. And give me leave, with all Humility, to assure your Majesty, That thro God's Blessing I am in the fairest Hopes of reducing this Kingdom to your Majesty's Obedience. And if the Measures I have concerted with your other Loyal Subjects fail me not, which they hardly can, I doubt not, but before the end of this Summer, I shall be able to come to your Majesty's Assistance with a brave Army; which back'd with the Justice of your Majesty's Cause, will make the Rebels in *England*, as well as in *Scotland*, feel the just Rewards of Rebellion. Only give me leave, after I have reduc'd this Country to your Majesty's Obedience, and conquer'd from *Dan* to *Beersheba*; to say to your Majesty then, as *David's* General did to his Master, *Come thou thy self, lest this Country be call'd by my Name*. For in all my Actions I aim only at your Majesty's Honour and Interest, as becomes one that is to his last Breath,

May it please your Majesty,

*Innerlochy in
Lochaber,
February 3.
1644.*

Your Majesty's most Humble,

most Faithful, and most Obedient

Subject and Servant,

MONTROSS.

A Treaty of Peace between Philip IV. King of Spain, and the United Provinces of the Low Countries. Made at Munster the 30th of January, 1648.

IN the Name and to the Glory of God, be it known to all Men, That after the long Course of bloody Wars, which have so many years afflicted the People, Subjects, Kingdoms and Countries in the Obedience of the Lords the King of *Spain*, and the States General of the *United Provinces of the Low Countries*; the said Lords, the King and States being touch'd with Christian Compassion, and desirous to put an end to the publick Calamities, and a stop to the deplorable Consequences, Inconveniencies, Damages and Dangers, which the farther Continuance of the said War of the *Low Countries* might produce and draw after them, by extending even to other the most distant Countries, States, Lands and Seas; and in order to change the pernicious Effects thereof into those most desirable ones of a good and sincere Pacification on both sides, and the sweet Fruits of an entire and firm Repose and Quiet, for the Comfort of the said People and States under their Obedience, and the Restitution of past Damages, for the common Good not only of the *Low Countries*, but even of all *Christendom*; praying and beseeching all other Christian Princes and Potentates to suffer themselves to be prevail'd upon by the Grace of God, to have a Compassion for and Aversion to the Miseries, Ruins and Disorders which this present Scourge of War has made us feel so long and so severely: In order to obtain so good an End, and so desirable an Issue thereof, the said Lords, the King of *Spain* Don Philip IV. and the States General of the said *United Provinces of the Low Countries*, have constituted and appointed, viz. the said King has deputed, &c. Don Gaspar de Braccamonte and de Guzman, Count of *Penaranda*, Seigneur of *Aldea Seca la Frontera*, Knight

Knight of the Order of *Alcantara*, perpetual Administrator of the Commandry of *Daymiel*, of the Order of *Calatrava*, Gentleman of his Majesty's Bedchamber, Ambassador Extraordinary to his Imperial Majesty, and first Plenipotentiary for the Treaty of a General Peace; and Messire *Anthony Brun*, Knight of his Catholick Majesty's Council of State, and Supreme Counsellor for the Affairs of the *Low Countries*, and of *Burgundy*, and his Plenipotentiary at the Treaty of a General Peace. And the said Lords the States of the *United Provinces* of the *Low Countries* have appointed and deputed the Sieur *Baltor de Gent*, Lord of *Loenen* and *Meynerswick*, *Seneschal* and *Diikgrave* of *Bommel*, *Tieler* and *Bommeler-Weerden*, Deputy from the Nobility of *Guelder* to the Assembly of the Lords the States General; the Sieur *John de Mathenesse*, Lord of *Mathenesse*, *Riviere*, *Oppmeer*, *Souteveen*, &c. Deputy in the Ordinary Council of *Holland* and *West-Friseland*, and at the Assembly of the Lords the States General from the Nobility of the said Province, Counsellor and Heemrade of *Schieland*; Messire *Adrian Paw* Knight, Lord of *Heemstede*, *Hoogersmilde*, and first President, Counsellor and Master of the Accounts of *Holland* and *West-Friseland*, and Deputy at the Assembly of the Lords the States General from the said Province; Messire *John de Knuyt* Knight, Lord of *Old* and *New Vosmar*, the First Representative of the Nobility in the States and Council of the County and Admiralty of *Zeeland*, first Counsellor to his Highness the Prince of *Orange*, Deputy in ordinary at the Assembly of the Lords the States General; the Sieur *Godard de Reede*, Lord of *Nederhorst*, *Vredeland*, *Corte-hoef*, *Overmeer*, *Hofwaert*, &c. President in the Assembly of the Nobility of the Province of *Utrecht*, and Deputy on their part at the Assembly of the Lords the States General; the Sieur *Francis de Donia*, Lord of *Himmema*, *Heilsun*, Deputy in the Assembly of the Lords the States General from the Province of *Friseland*; the Sieur *William Ripperda*, Lord of *Hengeloo*, *Boxbergin*, *Bobuloo* and *Russenberg*, Deputy from the Nobility of the Province of *Over-Yssel* at the Assembly of the Lords the States General; the Sieur *Adrian Kland van Stedum*, Lord of *Nittersum*, &c. Deputy in ordinary from the Province of the City of *Groninghen* and *Ommelande* to the

the Assembly of the Lords the States General; all of them Ambassadors Extraordinary in *Germany*, and Plenipotentiaries from the said Lords the States General at the Treaties for a General Peace; all warranted by sufficient Powers, which shall be inserted at the end of these Presents: who being assembled in the City of *Munster* in *Westphalia* by common Consent, appointed to be the Place of Treaty for the General Peace of *Christendom*, by virtue of their said Powers, for and in the name of the said Lords the King and States, have made, concluded and agreed the following Articles.

I. In the first place the said Lord the King declares and acknowledges, That the said Lords the States General of the *Low Countries*, and all the respective Provinces thereof, together with all their associated Countries, Towns and Lands thereto belonging, are Free and Sovereign States, Provinces and Countries, upon which, or their associated Countries, Towns or Lands abovesaid, the said Lord the King has no manner of Pretensions; and that neither at this time, nor *in futurum*, he shall ever make any Pretensions to them for himself, or for his Heirs and Successors: and that in consequence hereof he is content to treat with the said Lords the States, even as he does at this present, and agree upon a perpetual Peace, on the Conditions after-written and declar'd, *viz.*

II. That the said Peace shall be good, firm, faithful and inviolable; and that from henceforth shall cease all Acts of Hostility, of whatsoever nature they be, between the said Lords, the King and the States General, as well by Sea and other Waters, as by Land, in all their Kingdoms, Countries, Lands and Dominions, and for all their Subjects and Inhabitants, of what Quality or Condition soever they be, without any Exception either of Places or Persons.

III. Each shall remain effectively in the Possession and Enjoyment of the Countries, Towns, Forts, Lands and Dominions which he holds and possesses at present, without being troubled or molested therein, directly or indirectly, in any manner whatsoever; wherein the Villages, Burghs, Hamlets and flat Country thereupon depending are understood to be comprehended. And next the Mayoralty of *Boisleduc*, as also all the Lordships, Cities, Castles, Towns, Villages, Hamlets and flat

Country depending upon the said City and Mayoralty of *Boisleduc*, the City and Marquisate of *Bergen-op-zoom*, the City and Barony of *Breda*, the City and Jurisdiction of *Mastricht*, as also the County of *Vroonhoff*, the Town of *Grave*, and Country of *Kuyk*, *Hulst* and the Bailliage of *Hulst*, and *Hulster Ambacht*, situated upon the *South* and *North* of *Guelder*; and likewise the Forts which the said Lords the States possess at present in the Country of *Waes*, and all the other Towns and Places which the said Lords the States hold in *Brabant*, *Flanders* and elsewhere, shall remain to the said Lords the States, in all and the same Rights, and Parts of Sovereignty and Superiority, just in the same manner that they hold the Provinces of the united *Low Countries*. But then it must be observ'd, that all the rest of the said Country of *Waes*, excepting the said Forts, shall belong to the said Lord the King of *Spain*. As to the three Quarters of the *Over-Maze*, viz. *Fauquemont*, *Dalem* and *Roleduc*, they shall remain in the State they are in at present; and in case of Dispute or Controversy, the Matter shall be refer'd to the *Chambre-my-partie*, or the indifferent and disinterested Court, whereof mention shall be made afterwards.

IV. And the Subjects and Inhabitants of the Countries of the said Lords, the King of *Spain* and the States, shall entertain all good Correspondence among themselves, without showing any Resentment of the Offences and Damages they may have sustain'd heretofore; they may likewise remain in and frequent one another's Countries, and there exercise their Traffick and Commerce in all Safety, as well by Sea and fresh Waters, as by Land.

V. The Navigation and Trade to the *East* and *West-Indies*, shall be kept up according and conformably to the Grants made or to be made for that effect; for the Security whereof the present Treaty shall serve, and the Ratification thereof on both sides, which shall be obtain'd: and in the said Treaty shall be comprehended all Potentates, Nations and People, with whom the said Lords the States, or the Members of the *East* and *West-India* Companies in their name, within the Limits of their said Grants, are in Friendship and Alliance. And both the foresaid Lords the King and the States respectively, shall continue in possession of such Lordships, Cities, Castles,

Castles, Towns, Fortresses, Countries and Commerce in the *East* and *West-Indies*, as also in *Brazil*, upon the Coasts of *Asia*, *Africa* and *America* respectively, as the said Lords the King and the States respectively hold and possess, comprehending therein particularly the Places and Forts which the *Portuguese* have taken from the Lords the States since the year 1641. as also the Forts and Places which the said Lords the States shall chance to acquire and possess after this, without Infraction of the present Treaty. And the Directors of the *East* and *West-India* Companies of the *United Provinces*, as also the Servants and Officers High and Low, the Soldiers and Seamen actually in the Service of either of the said Companies, or such as have been in their Service, as also such who in this Country, or within the District of the said two Companies, continue yet out of their Service, but who may be employ'd afterwards, shall be and remain to be free and unmolested in all the Countries under the Obedience of the said Lord the King in *Europe*; and may sail, traffick and resort, like all the other Inhabitants of the Countries of the said Lords the States. Moreover, it has been agreed and stipulated, That the *Spaniards* shall keep their Navigation to the *East-Indies*, in the same manner they hold it at present, without being at liberty to go further; and the Inhabitants of these *Low Countries* shall not frequent the Places which the *Castilians* have in the *East-Indies*.

VI. And as to the *West-Indies*, the Subjects and Inhabitants of the Kingdoms, Provinces and Lands of the said Lords the King and States respectively, shall forbear sailing to, and trading in any of the Harbours, Places, Forts, Lodgments or Castles, and all others possess'd by the one or the other Party, viz. the Subjects of the said Lord the King shall not sail to, or trade in those held and possess'd by the said Lords the States, nor the Subjects of the said Lords the States sail to or trade in those held and possess'd by the said Lord the King. And among the Places held by the said Lords the States, shall be comprehended the Places in *Brazil*, which the *Portuguese* took out of the hands of the States, and have been in possession of ever since the year 1641. as also all the other Places which they possess at present, so long as they shall continue in the hands of the said *Portuguese*.

Portuguese, any thing contain'd in the preceding Article notwithstanding.

VII. And because there will be requir'd a pretty long time to give notice to those who are without, or beyond the Limits aforesaid, with their Forces and Ships, to desist from all Acts of Hostility; it has been agreed, That within the Limits of the Grant formerly made to the *East-India* Company of the *Low Countries*, or to be continu'd to them, the Peace shall not commence sooner than a year after the Date of the Conclusion of the present Treaty; and as to the Limits of the Grant formerly made by the States General, or to be continu'd to the *West-India* Company, That in the said Places the Peace shall not commence sooner than six months after the foresaid Date: but then it must be observ'd, That if Advice of the said Peace shall have come from the Publick to those Limits respectively earlier than the foresaid time, from the minute of that Advice all Hostility shall cease in those Parts; but if after the Term of a Year, and of six Months respectively, any Act of Hostility be committed within the Limits of the foresaid Grants, all Damages occasion'd thereby shall be repair'd without delay.

VIII. The Subjects and Inhabitants of the Countries of the foresaid Lords, the King and the States, trading to one another's Countries, shall not be oblig'd to pay greater Duties and Imposts, than the respective Subjects Natives of the Countries; so that the Inhabitants and Subjects of the united *Low Countries* shall be, and remain to be exempted from certain Duties of twenty *per cent.* or from such lesser, greater, or any other Duty as the said Lord the King has rais'd and impos'd during the twelve years Truce, or should endeavour or be inclin'd to raise or impose afterwards, directly or indirectly, upon the Inhabitants and Subjects of the united *Low Countries*, or lay upon them over and above what he does upon his own Subjects.

IX. The said Lords the King and the States shall not raise, without their respective Limits, any Duties or Gabels for Entry, Parting, or any other Account, upon the Commodities in their Carriage either by Land or Water.

X. The

X. The Subjects of the said Lords, the King and the States, shall respectively in one another's Countries enjoy the antient Privilege of the Customs, whereof they have been in peaceable possession before the Commencement of the War.

XI. Society, Conversation and Commerce among the respective Subjects shall not be hinder'd; and if any Hindrances or Impediments happen, they shall be really and effectually remov'd.

XII. And from the Day of the Conclusion and Ratification of this Peace, the King shall cause the raising of all Customs, which before the War were under the Jurisdiction, and within the District of the *United Provinces*, to cease upon the *Rhine*, and the *Maese*, as also the Custom of *Zeeland*; so that that Custom shall not be rais'd by his Majesty either in the City of *Antwerp* or elsewhere: provided and on condition that from the foresaid day, the States of *Zeeland* shall reciprocally take upon themselves, and first of all pay from that same day the annual Rents which were mortgag'd upon the said Customs before the year 1572. (whereof the Proprietors have been in possession, and receiv'd the Rent thereof since before the Commencement of the said War) which the Proprietors of the other Customs abovesaid shall also do.

XIII. The white boil'd Salt coming from the *United Provinces* into those of his said Majesty, shall be there receiv'd and admitted, without being charg'd with higher Duties than Bay-Salt; and the Salt of the Provinces of his said Majesty shall likewise be admitted and receiv'd in those of the said Lords the States, and shall be there sold, without being charg'd with a higher Duty than the Salt of the said Lords the States.

XIV. The Rivers of the *Escaut*, as also the Canals of *Sas*, *Zwyn*, and other Mouths of Rivers disimboing themselves there, shall be kept shut on the side of the Lords the States.

XV. The Ships and Commodities entering into and coming out of the Harbours of *Flanders*, shall be respectively charg'd by the said Lord the King with all such Imposts and other Duties, as are laid upon Commodities going and coming along the *Escaut*, and other Canals mention'd in the preceding Article. And the Tax

of the foresaid equal Duty shall be agreed afterwards betwixt the respective Parties.

XVI. The Hans Towns, with all their Citizens, Inhabitants and Subjects, as to Navigation and Traffick in *Spain*, the Kingdoms and Estates of *Spain*, shall enjoy all the same Rights, Franchises, Privileges and Immunities, which by the present Treaty are granted, or shall afterwards be granted for and with relation to the Subjects and Inhabitants of the *United Provinces* of the *Low Countries*. And the said Subjects and Inhabitants of the *United Provinces* of the *Low Countries*, shall reciprocally enjoy all the same Rights, Franchises, Immunities and Privileges, whether for the establishing of Consuls in the Capital and Maritime Towns of *Spain* and elsewhere, where it shall be needful, or likewise for Merchants, Factors, Masters of Ships, Mariners or others; and in the same sort as the said Hans Towns in general or in particular have formerly obtain'd and enjoy'd, or shall obtain and enjoy afterwards, for the Security, Benefit and Advantage of the Navigation and Trade of their Towns, Merchants, Factors, Commissioners and others thereupon depending.

XVII. The Subjects and Inhabitants of the Countries of the said Lords the States, shall also have the same Security and Freedom in the Countries of the said Lord the King, that has been granted to the Subjects of the King of *Great Britain* by the last Treaty of Peace, and secret Articles made with the Constable of *Castile*.

XVIII. The said Lord the King shall make, on the first Opportunity, all necessary Provision, that honourable Places may be appointed for the Interment of the Bodies of such Subjects of the Lords the States, as shall happen to die in any Place under the Obedience of the said Lord the King.

XIX. The Subjects and Inhabitants of the Countries of the said Lord the King, coming into the Countries and Lands of the said Lords the States, shall be oblig'd, with regard to the publick Exercise of Religion, to govern and behave themselves with all Modesty, without giving any Scandal in Word or Deed, or uttering any Blasphemies: And the same shall be done and observ'd by the Subjects and Inhabitants of the Countries of the said Lords the States, coming into the Lands of the said Lord the King.

XX.

XX. The Merchants, Masters of Ships, Pilots, Seamen, their Ships, Merchandizes, Commodities, and other Goods belonging to them, may not be seiz'd and arrested, either by virtue of any general or particular Commission, or for any other Cause whatsoever, nor upon the account of War or otherwise, nor even under pretext of employing them for the Preservation and Defence of the Country. However, we do not here mean to comprehend the Seizures and Arrests of Justice in the ordinary Methods upon account of Debts, proper Obligations, and valid Contracts of those upon whom such Seizures shall have been made; in which case Actions and Suits shall be carry'd on according to Right and Reason.

XXI. Certain Judges shall be appointed on both sides in an equal Number, in form of the *Chambre Mi-partie*, who shall sit in the *Low-Countries*, and in such other Places as shall be found convenient and proper, and that every where, sometimes under the Obedience of the one, and sometimes of the other, according as shall be agreed by mutual Consent; which Judges appointed on both sides, shall (conformably to the Commission and Instruction that shall be given them, and upon which they shall make Oath according to a certain Form to be settled on both sides for that effect) have regard to the Negotiations of the Inhabitants of the said Provinces of the *Low-Countries*, and to the Burdens and Duties which of both sides shall be laid upon Merchandizes: And if the said Judges perceive that any Excesses are committed on either side, or of both sides, they shall regulate and moderate the said Excesses.

Moreover, the said Judges shall examine into Disputes touching a Failure in the Execution of the Treaty, and the Contraventions thereof, which from time to time may happen in the Countries on this side, as also in the distant Kingdoms, Countries, Provinces and Islands of *Europe*; and shall summarily and fully determine therein, and decide as they see agreeable and conformable to the Treaty: the Sentences and Determinations of which Judges shall be executed by the ordinary Judges of the Place where Contravention shall have been committed, upon the Persons of the Contraveners, according as Occasion and Circumstance shall require: nor

must the last ordinary Judges neglect to do the said Execution, or suffer it to be neglected, but repair the Conventions within the Space of six Months after the the last ordinary Judges shall have been thereunto requir'd.

XXII. And if any Sentences or Judgments shall pass upon the Person of any of either Parties, whether in a Civil or Criminal Matter, they must not be put in Execution against the Person of the condemn'd, nor against their Goods. Nor shall any Letters of Mark or Rescript be granted, but upon Cognizance of the Case, and in Cases allow'd by the Imperial Laws and Constitutions, and according to the Order by them establish'd.

XXIII. It shall not be lawful to come ashore, enter, or stop at the Ports, Harbours, Shallows, or Roads of one another with Men of War and Soldiers, in such number as may cause Suspicion, without the Leave and Permission of him to whom the said Ports, Harbours, Shallows and Roads belong, unless they are forc'd in by Storm, or oblig'd thereto thro necessity, or to avoid the Dangers of the Sea.

XXIV. Such whose Goods have been seiz'd and confiscated upon occasion of the War, or their Heirs, or such as have an Interest therein, shall recover and take possession of the said Goods, by their own private Authority, and in virtue of this Treaty, without being oblig'd to have recourse to Justice, notwithstanding all Fiscal Incorporations, Engagements, Treaties, Agreements and Transactions, or any Renunciations that may have been put in the said Transactions, to exclude from part of the said Goods those Persons to whom they belong'd: And all and every the said Goods and Rights which, agreeably to the present Treaty, are to be restor'd or ought to be restor'd reciprocally to the first Proprietors, or their Heirs, &c. may be sold to the said Proprietors, without having need of a particular Consent for that effect. And next, the Proprietors of Rents, which shall be appointed by the Elques in lieu of the said Goods, and the Proprietors of Rents and Actions with which the Elques are burden'd respectively, may dispose of them by Sale or otherwise, as of their other proper Goods.

XXV. This shall also take place in the Profits arising to the Heirs of the late Lord, Prince William of Orange, even with regard to the Rights which they have in *Solines*

lines in the County of *Burgundy*, which shall be remitted and given over to them, with the Woods thereon depending, in case it be not found that they have been bought and paid for by his said Majesty.

XXVI. In which are also meant to be comprehended the other Goods and Rights in the Counties of *Burgundy* and *Charolois*; and that which has not been yet restor'd according to the Treaty of the 9th of *April* 1609. and of the 7th of *January* 1610. respectively, shall, as soon as possible, be entirely restor'd *bona fide* to the Proprietors, their Heirs or Assigns on both sides.

XXVII. In like manner are meant to be comprehended the Goods and Rights, which, after the Expiration of the twelve Years Truce, were, by Sentence of the Great Council of *Malines*, to the prejudice of the Fisque, adjudg'd to the late *John* Count of *Nassau*, or in any other manner whereby the said Count got possession thereof, in any Places or Seignieuries where these Goods and Rights may lie, and by whomsoever they may be possess'd; which Sentence, by virtue of the present Treaty, is, and shall be held as not given, and all other Acquisition of the foresaid Possession is and shall be annul'd.

XXVIII. And as to the Process of *Chastel Belin* enter'd in the life-time of the late Lord the Prince of *Orange*, before the Great Council of *Malines*, against the Procurator General of the said Lord the King; since the said Process was not judg'd in a year after the Suit which commenc'd upon it, as was promis'd in the XIVth Article of the said twelve Years Truce; it is concluded, That immediately after the Conclusion and Ratification of the present Treaty, the Fisque, in name of his Majesty, or in the name of any other whatsoever, shall effectually quit all Pretensions to all and every the Goods demanded in the said Process, by whom or by what Right soever they may have been possess'd, and shall renounce in the Name, and by the Persons abovesaid, all Actions and Pretensions which the said Fisque may have or pretend to have in any wise upon the said Goods, to be really and effectually claim'd, and taken into free and full Possession from this present by the said Lord the Prince of *Orange*, his Heirs and Successors, &c. presently after the Conclusion and Ratification of this Treaty,

ty, by virtue thereof, and without having recourse to Justice; on condition, That the Fruits and Profits, together with the Taxes thereof until the Conclusion of the said present Treaty, shall remain to the Benefit of the Fisque.

XXIX. If any Difficulty should arise concerning the Restitution of the Goods and Rights that are to be restor'd, the Judg of the Place shall cause Restitution to be made without delay, and take the shortest Course towards it; nor shall it be lawful for him to delay Restitution upon pretext of the Non-payment of the Capitation or otherwise.

XXX. The Subjects and Inhabitants of the *United Low-Countries* may, every where in the Lands under the Obedience of the said Lord the King, employ such Advocates, Procurators, Notaries, Solicitors and Agents as they shall think proper, whereto they shall be appointed by the ordinary Judges, when it shall be needful, and the said Judges shall be requir'd. And on the other hand, the Inhabitants and Subjects of the said Lord the King coming into the Countries of the said Lords the States shall have the same Assistance.

XXXI. If the Fisque has sold any of the Goods of either side, those to whom they should appertain by virtue of this Treaty shall be oblig'd to be satisfy'd with the Interest at the rate of 16 *per Cent.* to be paid every Year by those who possess the said Goods; otherwise it shall be lawful to come upon the Fund and Inheritance that was sold. Let it be well observ'd, That instead of the Goods sold, Rents redeem'd, or any other such like, Letters Patent shall be pass'd by, and in the Name of the Fisches respectively, for the Benefit of the Proprietors, their Heirs and Assigns, which shall serve as a declaratory Proof in conformity to the Treaty; together with an Assignment of annual Payment upon a Receiver in the Province in which the Sale or Redemption shall have been made; which Receiver shall be there nam'd, and the Price shall be calculated conformably to the first publick Sale, or otherwise as the Law shall ordain; the first Year of which Annuity shall commence a year after the Date of the Conclusion and Ratification of the present Treaty.

XXXII. But if the said Sales should be made by Law for good and lawful Debts of those to whom the said Goods belong'd before the Confiscation ; it shall be lawful for them or their Heirs to recover them upon paying the Price of them within a year, reckoning from the Date of the present Treaty, after which time they cannot be receiv'd : and the said Recovery and Redemption being made by them, they may dispose of them as they please, without being oblig'd to obtain any other Permission.

XXXIII. However, it is not meant here that this Recovery should be allow'd with regard to Houses in Towns that have been sold on this occasion, because of the great Inconveniency, and considerable Loss which the Purchasers would suffer thereby, upon the account of the Changes and Reparations they may have made in the said Houses, whereof a Detail would be too long and difficult.

XXXIV. And as to Reparations and Meliorations of other Goods sold, the Recovery of which is allow'd, in case they are pretended to have been made, the ordinary Judges of the Place shall cause Justice to be done upon Cognizance of the Cause, by making the mortgag'd Funds and Inheritances stand good, and answer for the Sum that has been laid out upon the Meliorations ; but it shall not be lawful for the said Purchasers to use the Right of Retention, in order to be paid and satisfy'd therefore.

XXXV. All Goods and Rights kept secret, Movable, Immoveables, Revenues, Actions, Debts, Credits, and others which shall have been seiz'd by the Fisque, without due Cognizance of the Cause before the Day of the Conclusion and Ratification of this Treaty, shall remain at the free and full Disposal of the Proprietors, their Heirs or Assigns, with all the Fruits, Revenues, Incomes and Profits thereof : as also neither those who shall have conceal'd the said Goods and Rights, nor their Heirs, may be molested upon this occasion by the respective Fiskes ; but the Proprietors and their Heirs shall with respect to them have the Benefit of Law against all Persons whatsoever, as they may have for their own proper Goods.

XXXVI. The Trees cut down after the Day of the Conclusion of this Treaty, and which were yet standing upon

upon that very day, as also the Trees sold, which shall not be yet cut down at the Day of the said Conclusion, shall remain to the Proprietors, notwithstanding the said Sale; nor shall they be oblig'd to pay any Price for the same.

XXXVII. The Fruits, Rents, Farms and Revenues of the Seignieuries, Lands, Tenths, Houses, Fisheries and Incomes, and other Appurtenances, which conformably to the Treaty are to be restor'd; if they arise after the Day of the Conclusion of this Treaty, they shall remain for the whole Year to the Proprietors and their Heirs.

XXXVIII. The Farms of Goods confiscated or register'd (altho they may have been granted for many Years) shall expire the very year of the Conclusion of the Treaty, according to the Custom of the respective Places where the said Goods are; and the Farms arising after the Day of the Conclusion of the Treaty, as is said, shall be paid to the Proprietors. But then, if the Farmer of the said Goods shall have been at any Charges for the Growth of the said Year, the said Expences shall be reimburs'd to the Farmer by the Proprietors, according to the Custom or Discretion of the Judges of the Place where those Goods are.

XXXIX. The Sale of Goods confiscated or register'd, after the Conclusion of the Treaty, shall be held null and void; as also Sales made before the Conclusion of the said Treaty, contrary to the Capitulations and Agreements made particularly with any Towns, shall be null and void.

XL. The Houses of particular Persons, restor'd or to be restor'd conformably to the Treaty, shall not be reciprocally burden'd with Garisons, or any other thing in any manner, nor charg'd higher than the Houses of the other Inhabitants of a like Condition.

XLI. None of either side shall be hinder'd directly or indirectly from changing the Place of his Abode, provided he pays the proper Duties; and if any Hindrances should be done after the Treaty, they shall be readily remov'd.

XLII. If any Fortifications or publick Edifices or Works have been made on either side, with Permission and Authority of the Superiors in the Places whereof Restitution is to be made by the present Treaty; the

Proprietors

Proprietors thereof shall be oblig'd to be satisfy'd with the Estimate which shall be made by the ordinary Judges, as well of the said Places as of the Jurisdiction of the same, unless the Parties agree it among themselves: And satisfaction shall likewise be made to the Proprietors for the Goods apply'd to the making Fortifications, raising Publick Works, and building Religious Houses.

XLIII. As to the Goods of Churches, Colleges and other Religious Places within the *United Provinces*, which were formerly Members of the Churches, Benefices and Colleges under the Obedience of the said Lord the King, so much of them as have not been sold before the Conclusion of the present Treaty, shall be return'd and restor'd to the Owners, and they may take possession of them by their own private Authority, and without the Assistance of Law, according to what has been said above: But as to such as have been sold before the said time, or given in payment by the States of any of the Provinces, the Income thereof shall be paid yearly at the rate of 16 *per Cent.* by the Province that shall have made such Sale, or given the said Goods in payment, and assign'd also in such sort as that they may be sure of having it; and the same shall be done and observ'd by the said Lord the King.

XLIV. As touching the Pretensions and Interests which the Lord the Prince of *Orange* might have to the Parts whereof he is not in possession; it shall be agreed by a separate Treaty, to the satisfaction of the said Lord the Prince of *Orange*: but as to the Goods and other Effects, whereof the said Prince is in possession by the Grant and Concession of the said Lords the States General in the Bailliage of *Hulster-Ambacht* and elsewhere, of which the said Lords the States have sometime ago given him the Confirmation; all the said Places shall remain absolutely in full Property for his own Benefit, and that of his Heirs and Successors; so that there shall be no Pretensions upon the said Goods by virtue of any Articles of the present Treaty.

XLV. As to what concerns certain other Points, besides those mention'd in the preceding Article, which have been treated and agreed separately, and sign'd in two Writings, one on the 8th of *January*, and the other on the 27th of *December* 1647. for, and in the
Name

Name of the said Lord the Prince of *Orange*; the said Writings, and the whole Contents thereof shall have their Effect, and be confirm'd, fulfill'd and executed according to their Form and Tenor, neither more nor less than if all the said Points in general, or every one of them in particular were word for word inserted in this present Treaty; and that notwithstanding all the other Clauses in the present Treaty contrary thereto, from which we mean to derogate, and it is expressly derogated by the present Article; and which Clauses, with regard to the Contents of the said two Writings, are and shall be held as not made, and shall not hinder or delay in any manner the Effect, Accomplishment and Execution of the said two Writings of the 8th of *January*, and 27th of *December* 1647.

XLVI. Those to whom the confiscated Goods are to be restor'd, shall not be bound to pay the Arrearages of the Incomes, Burdens and Duties specially affecting them, and assign'd upon them, for the time that they have not been in possession of them; and if they be find and put to trouble for them on either side, they shall be absolv'd: and in case it be truly found, that all the Goods of any one of either side have been confiscated and register'd, so that it was not in his power to pay the Annuity or Interest arising during the Confiscation or Registration, he shall not only be exempted from the real Charges and Annuities in conformity to the Treaty, but also from the general and personal Charges of the said Revenues and Interests arising during the said time.

XLVII. Nor shall there be any Claim or Pretension to Goods sold or granted in order to commence an Action about them, but only to the Debts for which the Possessors stand oblig'd by the Treaties made upon that matter, together with the Interest of the Entry Money, which shall be at the rate of 4 *per Cent*.

XLVIII. The Judgments given for Goods and Rights confiscated to the Parties who have had the Cognizance of the Judges, and who have been legally defended, shall stand good, and the condemn'd shall not be admitted to offer any thing against them, but in the ordinary Methods of proceeding.

XLIX. The said Lord the King quits and renounces all Pretensions of Redemption, and all other Rights and Pretensions

Pretensions that he might have or pretend to have in any wise upon the City of *Grave*, the Country of *Kuyk*, its Appurtenances and Dependencies, the antient Barony of *Brabant*, formerly engag'd to the late Lord the Prince of *Orange*, the Redemption and Recovery of which Engagement has been quitted and turn'd into Property, and yielded for the Benefit of the late Lord Prince *Maurice* in *December 1611.* by the Lords the States General of the *United Low-Countries*, as Sovereigns of the said City of *Grave*, and Country of *Kuyk*, according and in conformity to Letters Patent thereupon dispatch'd; and in virtue of which Conversion and Cession the said Lord the Prince of *Orange*, his Heirs and Successors, shall from this present alway enjoy the full and entire Property of the said Town and Country of *Kuyk*, their Appurtenances and Dependencies.

L. The said King likewise quits and renounces all and every the Rights and Pretensions, either of Property, Cession or otherwise, which he could in any manner pretend upon the Town, County and Seignieury of *Lingen*, and the four Villages and other Rights thereto appertaining, as also upon the Towns and Seignieuries of *Bevergarde* and *Cloppenburg*, and all other Pretensions against any one whatsoever; that so they may really, effectually and for ever remain to the said Lord the Prince of *Orange*, his Heirs and Successors, in full Right of Property, conformably to the Letters of Donation and Investiture granted by the Emperor *Charles V.* on the 3d of *November 1546.* and according to the Transaction afterwards made between the Count of *Buren* and the Count of *Tecklenburg* on the 5th of *March 1548.* and finally, in consequence of the Cession made thereupon in *November 1578.* which the said Lord the King, so far as concern'd him, hath confirm'd, and doth confirm by the present Treaty.

LI. The said Lords the King and the States shall appoint, each of them in their place, Officers and Magistrates for the Administration of Justice and Government in the Towns and Garisons, which by this present Treaty are to be given up to the Proprietors in possession.

LII. The upper Quarter of *Guelder* shall be exchange'd for an Equivalent; and in case that Equivalent cannot
be

be agreed upon, the matter shall be refer'd to the *Chancere Mipartie*, to be there decided within six Months after the Conclusion and Ratification of the present Treaty.

LIII. The said Lord the King obliges himself effectually to procure the Continuation and Observation of the Neutrality, Amity, and good Neighbourhood of his Imperial Majesty and the Empire with the said Lords the States; to which Continuation and Observation the said Lords the States likewise oblige themselves reciprocally; and the Confirmation thereof must be made by his Imperial Majesty within two Months, and by the Empire within a year after the Conclusion and Ratification of the present Treaty.

LIV. The Movables confiscated, and the Profits from thence arising before the Conclusion of the present Treaty, shall not be liable to any Restitution.

LV. The movable Actions, which by the said Lords the King and the States shall have been granted for the Benefit of particular Debtors before the Conclusion of the present Treaty, shall be extinct on both sides.

LVI. The time that shall have elaps'd during the War begun in the Year 1607. and continuing till the beginning of the twelve Years Truce, as also the time elapsing from the Expiration of the said Truce till the Conclusion of this Treaty, shall not be reckon'd, so as thereby to do any prejudice or damage to any one whatsoever.

LVII. Such who have retir'd to neutral Countries during the said War, shall enjoy the Benefit of this Treaty, and may live where they please or return to their former Dwellings, there to live in all Safety, provided they observe the Laws of the Country; nor may their Goods be seiz'd, or they depriv'd of the Possession of them, on account of their having liv'd in any Place whatsoever.

LVIII. No new Ports may be made in the *Low-Countries* on either side, nor may any new Canals be made, or Dikes thrown up, whereby the one or the other Party may be kept off or beat back.

LIX. Neither the Lords of the House of *Nassau*, nor Count *John Albert of Solms*, Governor of *Maestricht*, may be prosecuted or molested in their Persons or Goods for any Debts contracted by the late Lord *William Prince*

of *Orange*, from the year 1567. till his Decease, nor for any Arrears due during the Seizure and Registration of the Goods therewith burden'd.

LX. If any Contravention should be made to the Treaty by private Persons without the Command of the said Lords the King and the States, the Damage shall be repair'd in the same Place where the Contravention shall have been made, if the Contraveners are taken up there, or in their Habitation : but they must not be prosecuted elsewhere in their Persons or Goods in any manner whatsoever, nor shall it be lawful to come to Arms, or break the Peace on that occasion ; but it shall be allowable, in case of manifest Denial of Justice, to do themselves Right by Letters of Mark or Reprisal, in the usual manner.

LXI. All Disinheritsons and Dispositions made in the Heat and Fury of War shall be declar'd null, and held as not made ; and by such Disinheritsons made in the Heat of War are meant such as either proceeded from the War, or depended thereupon.

LXII. The Subjects and Inhabitants of the Countries of the said Lords the King and the States, of whatever Quality or Condition they be, are declar'd capable of succeeding to one another, as well without as with a Will, according to the Customs of the Places ; and if any Successions or Legacies have formerly fallen to any of them, they shall be maintain'd and preserv'd in their Right thereto.

LXIII. All Prisoners of War shall be deliver'd up, of both sides, without paying any Ransom, and without any Distinction or Reserve of Prisoners, who have serv'd out of the *Low-Countries*, and under other Standards and Colours than those of the said Lords the States.

LXIV. The Payment of Arrears of Contributions, which shall remain unpaid from the Conclusion of the Treaty, for the Persons and Goods of both sides, shall be regulated and determin'd by those of both sides who shall have the Superintendence of Contributions.

XV. And whatever shall be propos'd or alledg'd on either side, by word of mouth or by Writing during the Negotiation, shall not be turn'd or interpreted to the Advantage or Prejudice of any directly or indirectly ; but as well the said Lords the King and the States

General and Particular, as all Princes, Counts, Barons, Gentlemen, Citizens, and other Inhabitants of the respective Kingdoms and Countries, of whatever Quality, State or Condition they be, shall continue in their Rights, according to the Tenor of the Treaty, and the Conclusion thereof.

LXVI. The respective Inhabitants and Subjects of the said Lords the King and the States shall really enjoy the Effect of the Vth Article of the twelve Years Truce now expir'd, and also the Effect of the Xth Article of the following Agreement of the 7th of *January* 1610. and that because during the Term of the foresaid Truce the said Effect was not obtain'd or procur'd of either side.

LXVII. The Limits and Bounds in *Flanders* and elsewhere shall be regulated in such sort as shall be found just, and appertaining to the Jurisdiction of both sides; whereupon Informations shall be waited for and deliver'd, that so the said Limits may be adjusted and regulated in due time.

LXVIII. On the part and side of the said Lord the King of *Spain*, the Forts here nam'd near *l'Ecluse* shall be demolish'd, viz. *St. Job*, *St. Donas*, the Fort *l'Estaille*, Fort *St. Theresa*, Fort *St. Frederick*, Fort *St. Isabella*, Fort *St. Paul*, and the Redoubt *Papemuts*: And on the side and part of the said Lords the States shall be demolish'd the following Forts, viz. the two Forts in the Isle of *Casant* call'd *Orange* and *Frederick*, the two Forts of *Pas*, all the Forts upon the East side of the River *Escant*, except *Lillo*, and the Fort at *Keildrecht* call'd *Spinola*: which Demolition, to be made reciprocally, shall be agreed upon betwixt both Parties, that so the Equivalent thereof may be regulated.

LXIX. All the Registers, Charters, Letters, Archives and Papers, as also all the Bags of Processess concerning any of the respective *United Provinces*, associated Countries, Cities and Members, or any Inhabitants thereof, being in the Courts, Chanceries, Councils, Chambers of Policy, Courts of Justice, Finances, Fiefs or Archives, whether at *Auennes*, *Malines*, or any other Places under the Obedience of the said Lord the King, shall be deliver'd *bona fide* to those who shall have a Commission from the said respective Provinces to demand

mand them : And the same shall be done on the part of the said Lords the States, for the Provinces, Towns, and particular Persons under the Obedience of the said Lord the King.

LXX. The Jurisdiction over the Waters shall be left to the Town of *l'Ecluse*, as appertains to it.

LXXI. The Dike that crosses the River *Soute* near *St. Donas* shall be taken away and open'd ; and in place of it shall be made and rais'd a *Sas*, the guarding of which *Sas* shall be agreed upon, as has been said above with relation to the Demolition of the Forts.

LXXII. In this present Treaty of Peace shall be comprehended all those who, before the Exchange of the Agreement or Ratification, or within three Months after, shall be nam'd on both sides, in which time the said Lord the King shall name such as he shall think proper : In the mean while, on the part of the said Lords the States, are nam'd the Prince the Landgrave of *Hesse Cassel*, with his Countries, Towns and States ; the Count of *East-Friseland*, the Town of *Emden*, the County and Country of *East-Friseland* ; the *Hanseatick* Towns, and particularly *Lubeck*, *Bremen* and *Hamburg* : and the said Lords the States reserve to themselves the Nomination of others, in the foresaid Term, whom they shall think proper.

LXXIII. As touching the Pretension of the Count of *Flodrof*, for the Restitution made to him of the Castle of *Leut*, with the Goods thereon depending, and all other Goods and Villages which might belong to him thereabout, and which were seiz'd by the said Lord the King, the said Restitution shall be granted him, as also that of the Castle ; saving an Allowance to be made between the Conclusion of the present Treaty and the Ratification of the same, for the Maintenance of a Garrison by the said Lord the King, or for the Demolition of the new Fortifications made since the Castle was possess'd.

LXXIV. As to what has been treated and agreed the 8th of *December* 1646. between the Ambassadors Extraordinary, and the Plenipotentiaries of the said Lords the King and the States, touching *Roger Huygens*, for and in the Name of his Wife Lady *Anne Margaret van Stralen* ; It shall have the whole Force and Effect, and

shall be fulfill'd and executed in the same manner as if it was inserted word for word in this present Treaty.

LXXV. And to the end that the present Treaty may be the better observ'd, the said Lords the King and the States respectively promise to use their Endeavours, and employ their Power, each in his place, to render the Passages free, and the Seas and Rivers navigable and secure from all Incursions of Pirates, Corsairs and Robbers; and, if they can catch them, to chastise them with Rigour.

LXXVI. They promise moreover not to do any thing contrary to or in prejudice of the present Treaty, nor suffer any thing to be done directly or indirectly; and if any thing be done, they promise to repair it without any Difficulty or Delay: and they oblige themselves respectively (*viz.* the said Lord the King and his Heirs and Successors) to the Observation of all the above; and for the Validity of the said Obligation, they renounce all Laws, Customs, and other things whatsoever to the contrary.

LXXVII. The present Treaty shall be ratify'd and approv'd by the said Lords the King and the States, and Letters of Ratification shall be deliver'd by the one to the other in good and due Form, within the Term of two Months; and if the said Ratification come sooner, all Acts of Hostility between the Parties shall cease, without waiting for the Expiration of the said Term. But then it must be observ'd, That after the Conclusion and signing of this Treaty, Hostilities of both sides shall not cease, till the Ratification thereof shall have been deliver'd by the said Lord the King of *Spain* in due Substance and Form, and exchange'd for that of the Lords the States General of the *United Provinces*.

LXXVIII. So that in the mean while the Affairs of both sides shall continue in the same State and Condition they shall be found at the Conclusion of the present Treaty, until the foresaid reciprocal Ratification shall have been exchange'd and deliver'd.

LXXIX. The said Treaty shall be publish'd every where, as is usual, immediately after the Ratifications of both sides shall have been exchange'd and deliver'd; and from thenceforth all Acts of Hostility shall cease.

Follows

Now the Tenor of the Power of the Plenipotentiaries of the Lord the King of Spain, &c.

ON Philip, by the Grace of God, King of *Castile, Leon, Aragon, the two Sicilies, Jerusalem, Portugal, Navarre, Granada, Toledo, Valentia, Galicia, Majorca, Minorca, Seville, Sardinia, Corduba, Corsica, Murcia, the Algarves, Alger, Gibraltar, the Canary Ids, the East and West-Indies, the Isles and Continents of the Ocean*; Archduke of *Austria*, Duke of *Burgh, Brabant and Milan*, Count of *Hapsburg, Flanders, Tirol and Barcelona*, Lord of *Biscay and Malines*,

We being extremely desirous of hastening the Peace, the Repose and Tranquillity of our Subjects, and the Inhabitants of the Provinces of the *Low-Countries*, and putting an end to this cruel War wherewith they have been so long oppress'd, in order to facilitate the Means of giving a general Peace to all *Europe* for the universal Good of *Christendom*; (all the Powers engag'd concern'd in this War having by common Agreement made choice of the City of *Munster*, there to hold the Congresses and Negotiations for the said Peace) we judg'd it proper to name Plenipotentiaries to assist our Name at the said Congress, with all requisite Authority and full Power, and particularly to treat there with the States of the free Provinces of the *United-Netherlands*, or with their Ambassadors and Plenipotentiaries authoriz'd and deputed for that effect. And being perswaded and convinc'd of the Capacity, Prudence, Experience, Understanding and Zeal of our Service, and the general Quiet of all *Christendom* of Don *Gaspar de Braccamonte and Guzman*, Count of *Vegvaranda*, Gentleman of our Bedchamber, Counsellor of our Domestick and State Affairs, and our Ambassador Extraordinary in *Germany*; *Frere Joseph of Bessene*, Archbishop of *Cambray*; and *Anthony Brun*, Counsellor in our Sovereign Council of *Flanders*: and being always satisfy'd with their Conduct in many Important Affairs, with which we have entrusted them, whereof they have worthily acquitted themselves; before having an entire Confidence, that they all together, and each of them in particular during the Absence

sence or Sickness of any of them, will carefully watch for the general Good of all *Christendom*, and for our particular Interests; we have nam'd them for our Ambassadors and Plenipotentiaries, and by virtue of these Presents have given them all together, and to each of them in particular, during the Absence or Sickness of any of them, an entire and absolute Power to enter into Conference with the States of the said free Provinces of the *United Low-Countries*, or with their Ambassadors and Plenipotentiaries by them specially authoriz'd and constituted for that effect, to advise together about the most proper means to terminate this long and cruel War, which has been kindled in the *Low-Countries*, and the Wars which have follow'd in consequence of the same against the said Lords the States General in other Places, Countries and Seas; and, by virtue of this Power, to enter into Negotiation with the said States General of the United free Provinces, or with their said Ambassadors and Plenipotentiaries; and to confer, propose, agree, capitulate and conclude with them a true, firm and inviolable Treaty of Peace or Truce: promising for us and for our Successors to hold as good and valid, and to observe precisely, punctually, and without any Exception, whatsoever shall have been concluded and stipulated in the said Treaty by our Ambassadors and Plenipotentiaries with the said United free Provinces; and in like manner to approve and ratify the said Treaty within the Term that shall be reciprocally agreed upon of both sides, and to confirm it by Oath, and all the other Solemnities requisite and usual in the like case. In Testimony whereof we have caus'd these Presents to be dispatch'd, which we have sign'd with our own Hand, and to which we have caus'd our Privy Seal to be affix'd, and which we have order'd to be countersign'd by our Secretary of State undersign'd. Given at *Saragossa*, the 7th of June 1646. *I the King*; and lower *Pedro Coloma*. Seal'd with the King's Seal in a red Wafer, cover'd with Paper.

Follows the Tenour of the Power of the Plenipotentiaries of the Lords the States General.

THE States General of the *United Provinces* of the *Low Countries*: To all who shall hear or see these Presents, Greeting. We make it known, That whereas upon all occasions we have with all Sincerity testify'd it to be our Intention and Inclination, that this long, pernicious and bloody War, which has arose in these Provinces, and continu'd for several years till this present, might be terminated for the general Good of the said Provinces, and the Comfort of the Inhabitants thereof; and that in consequence thereof the Wars in other distant Places and Seas, which have taken their Rise from this War of the *Low Countries* against our Adversaries, might cease and disappear; and the City of *Munster* in *Westphalia* having been pitch'd upon for the Place of Congress, and the Negotiation tending to the general Repose of *Christendom*, we have thought fit to name Persons that might assist with all Authority and full Power at the said Assembly and Negotiation, to labour to bury the long, pernicious and bloody War which has been rais'd in the *Low Countries*: Therefore trusting entirely in the Wisdom, Prudence and Experience, the Understanding, Fidelity and Zeal (for the Service of the foresaid *United Provinces* of the *Low Countries*) of the Sieurs *Bartold van Gent*, Lord of *Loenen* and *Meynerswiick*, Great Bailiff and Diikgrave of *Bommel*, *Tiel* and *Bommelerweerden*, Deputy in our Assembly of the Body of the Nobility of the Province of *Guelder*; the Sieur *John van Matenesse*, Lord of *Matenesse*, *Riviere*, *Opmeer*, *Souteveen*, &c. we have nam'd them our Ambassadors and Plenipotentiaries, giving them all together, conjointly, or to the greatest part of them (in case of the Absence or Hindrance of the rest) full Power, Authority, and general and special Commission to hear, in our Name, and on our Part, in quality of Plenipotentiaries of this State, in the City of *Munster*, from the mouth of the Lords Ambassadors of the most Potent and most Excellent Prince Don *Philip IV.* King of *Spain*, the Overtures which the said Lords Ambassadors of the foresaid King shall make, in order to terminate the foresaid

long, pernicious and bloody War rais'd in the *United Provinces*, and which has been the Source and Spring of all the Hostilities committed against our Adversaries in other distant Places and Seas; and thereupon enter upon a Negotiation with the foresaid Lords the Plenipotentiaries of the said King, and draw up and conclude a good, firm, sincere and inviolable Treaty of Peace, as the said Lords Plenipotentiaries of this State shall find proper, for the greater Service and Security of the *United Provinces* of the *Low Countries*, their Inhabitants, as also their Associates, and such as are concern'd respectively in the foresaid long War. And we have promis'd, and do promise by these Presents, *bona fide*, and under the Obligation of our selves and our Successors in general and particular, to hold for ever good, firm and valid, whatsoever shall be agreed and concluded in this respect by our said Plenipotentiaries, and to ratify and observe it inviolably, without ever doing or permitting any thing to be done contrary thereto, in any wise directly or indirectly.

In Testimony whereof we have caus'd these Presents to be sign'd and seal'd with our Great Seal, and to be sign'd by our Grefrier, in our Assembly at the *Hague*, the 22d of *March*, 1646.

Sign'd, *John van Reede V.* and upon the Fold, by Order of the foresaid Lords the States General, *Corn. Musch.*

Seal'd with the Great Seal of the States General in red Wax, hanging at a double Ribbon of red Silk.

In Faith and Testimony of the whole abovesaid, we the Ambassadors Extraordinary, and Plenipotentiaries of the said Lords the King of *Spain* and the States General of the *United Provinces*, by virtue of our respective Powers, have sign'd the present Treaty, and seal'd it with our Coats of Arms.

Done at *Munster* in *Westphalia*, the 30th of *January*, 1648. Sign'd and seal'd, *L. S. Conde de Pegnaranda*; *L. S. A. Brun*; *L. S. B. de Gent*; *L. S. J. de Matenoffe*; *L. S. Adrian Paw*; *L. S. J. de Knuyt*; *L. S. G. de Reede*; *L. S. F. de Donia*; *L. S. Wilh. Ripperda*; *L. S. Adrian Klandt*.

Follows

Follows the Ratification of the King of Spain.

DON Philip IV. by the Grace of God King of *Castile, Leon, Arragon, both the Sicilies, Jerusalem, Portugal, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Minorca, Seville, Sardinia, Corduba, Corsica, Murcia, Jaen, the Algarves, Alger, Gibraltar, the Canary Islands, the East and West-Indies, the Isles and Continent of the Ocean; Archduke of Austria, Duke of Burgundy, Brabant and Milan, Count of Hapsburg, Flanders, Tirol and Barcelona, Lord of Biscay and Molina, &c.* To all who shall see these Presents, Greeting. Whereas in order to deliver the Provinces of the *Low-Countries* from the War wherewith they have been so many years afflicted, to free them from the Calamities and Miseries thereof, to restore them to Quiet, Splendor and Prosperity, and likewise to bury the Wars which have spread and extended to more distant Countries and Seas; We have for a long time desir'd to come to a good Peace with the Lords the States General of the *United Provinces of the Low Countries*, for the Comfort of all those who of both sides have felt the Calamities of the foresaid War. And the City of *Munster in Westphalia* having been chosen by common Consent, for the Assembly and Treaty of Peace, the Affairs in the said Place have had so favourable a Success, that our Ambassadors Extraordinary and Plenipotentiaries, by virtue of our Powers, have made and concluded with the Ambassadors and Plenipotentiaries of the said Lords the States, the Treaty of Peace inserted here word for word.

Which Treaty here written and inserted as above, having been represented to us by our said Ambassadors Extraordinary and Plenipotentiaries, after having seen the whole, and maturely examin'd it word for word in our Council:

We for us, our Heirs and Successors, as also for the Vassals, Subjects and Inhabitants of all our Kingdoms, Countries and Dominions, as well in as out of *Europe*, not excepting any, have receiv'd this Treaty, and the whole Contents thereof, point by point, for good, firm and valid; have agreed to, approv'd and ratify'd it; do
receive,

receive, agree to, approve and ratify it by this Present; promising on the Faith and Word of a King and Prince, for us, our Successors, Kings, Princes and Heirs, sincerely and *bona fide* to follow it, and to observe and fulfil it inviolably and punctually, according to its Form and Tenor; to cause it to be follow'd, observ'd and fulfil'd, in the same manner as if we had treated it in our proper Person, without doing any thing, or suffering any thing to be done in any wise to the contrary, directly or indirectly, in any manner whatsoever; and if Contravention be done in any wise, to repair, or cause it to be repair'd without any Difficulty or Delay, to punish and cause to be punish'd the Contraveners with all Rigour, without Grace or Pardon; engaging for the foresaid Effect all and every of our Kingdoms, Countries and Dominions, as also all our other Goods, present and to come, and our Heirs and Successors, together with our Vassals, Subjects and Inhabitants of all our Kingdoms, Countries and Dominions, any where either in or out of *Europe*, not excepting one. And for the validity of this Obligation, we renounce all Laws, Customs, and all other things contrary thereto.

In Faith of the above, we have caus'd these Presents to be dispatch'd, sign'd with our Hand, seal'd with our Privy Seal, and counter-sign'd by our Secretary of State.
Done

*Follows the Ratification of the High and Mighty Lords
the States General.*

THE States General of the *United Free Provinces of the Low Countries*: To all who shall see these Presents, Greeting. Whereas upon all occasions we have been always willing and inclin'd, that the long, destructive and bloody War of the *Low Countries*, which spread it self in other distant Countries and Seas, might be terminated and bury'd, to the Glory of God, the Father, Author and Promoter of Peace, and for the Comfort of so many poor desolate Souls, who miserably languish under the Pressures and Calamities of War, and taste the Bitterness of it, and that the *Low Countries* might be resord to Quiet, Splendour and Prosperity: And whereas the City of *Munster* in *Westphalia* has, by the

†

common

common Concert of all concern'd, been chosen for the Place of Meeting and treating of a Peace; it having pleas'd the Omnipotent God to bless, by his Grace, the Cares and Labours which our Ambassadors Extraordinary and Plenipotentiaries have had, during the Negotiation, with the Lords Ambassadors and Plenipotentiaries of the said Lord the King of *Spain*, &c. Don Philip IV. insomuch that after divers Meetings and Conferences held thereupon, they have made and concluded the Treaty of Peace here inserted word for word.

Which Treaty here written and inserted as above, having been represented to us, and by us consider'd word for word, after mature Deliberation, We in the name, and on the part of the States of all the *United Provinces*, associated Countries, Dominions, Cities and Members thereof, as also for all the Countries under our Obedience, Vassals, Subjects, Inhabitants, as well in as out of *Europe*, not excepting any, have receiv'd the said Treaty, and all the Contents thereof, and every Point of it in particular, for good, firm and valid; have agreed, approv'd and ratify'd it, and do receive, agree, approve and ratify it by these Presents: Promising sincerely and *bona fide* to follow, observe and fulfil it inviolably and punctually, according to its Form and Tenour, and cause it to be follow'd, observ'd and fulfil'd, in the same manner as if we our selves had treated it in our Assembly of State, without doing or letting do in any manner, or suffering any thing to be done to the contrary directly or indirectly, in any manner whatsoever; and if Contravention should be done, or come to be done, to cause it to be repair'd, without any Difficulty or Delay, to punish, and cause to be punish'd, the Contraveners with all Rigour, without Grace or Pardon: engaging for the foresaid Effect all and every the *United Provinces*, associated Countries, Dominions, Cities, Towns and Members of the same, together with all the Vassals, Subjects and Inhabitants thereon depending, as well in as out of *Europe*, not excepting one. And for the validity of this Obligation, we renounce all Laws, Customs, and all other things contrary thereto.

In Faith and Testimony whereof we have caus'd these Presents to be dispatch'd under our Signature, and that of our Greffier, and seal'd with our Great Seal, in our
Assembly

364 *Treaty of Munster, 1648.*

Assembly at the *Hague* in *Holland*, the 10th of *April*, 1648. Sign'd, *John Andries*. And lower, by Order of the High and Mighty Lords the States General ; under-sign'd, *Corn. Musch*, and seal'd with the Counter-Seal of the said Lords the States in red Wax, hanging at a double Tail of Gold and Red Silk, in a Silver Box, upon which was engrav'd a Lion, holding in his right Paw a Sword, and in his left seven Arrows.

The Nomination of those whom the King of Spain, on his part, includes in the Treaty of Peace.

ON the part of the Lord the King of Spain, shall be included in this Treaty of Peace, made between his Majesty and the Lords the States General of the *United Provinces* of the *Low Countries*, the Emperor, the King of *Bohemia* and *Hungary*, with the Archduke *Leopold William*, Brother to the said Emperor, and in quality of Chief, and Great Master of the *Teutonic Order* ; the Archduke and Archdutchess his Cousins, with their Principalities and Lands ; the Electors and Princes, Cities and States of the *Holy Roman Empire* ; the Count of *Oldenburg*, with the Counties, Baronies and Lands to him belonging ; the Count of *Swartzenberg*, with his Land and Dominion of *Huffan* ; and the *Hanseatic Towns*, without prejudice to others, whom the said Lord the King shall please to name within the Term express'd in the 72d Article of the said Treaty. Given at *Munster*, 15 *May*, 1648. Sign'd and seal'd, *L. S. El. Conde de Pegnaranda* ; *L. S. A. Brun*.

The including of John Prince of Anhalt.

THE Term express'd in the 72d Article of the Treaty of Peace, between the Lords the King of Spain, and the States General of the *United Provinces*, for naming of those who might be included in the said Treaty, not being yet elaps'd, the said Lord the King doth yet name *John Prince of Anhalt* of the *Serveftian* Line, that he may be included with his Goods, Lands and Dominions. Given at *Munster* the 24th day of *June*, 1648. Sign'd, Count *Pegnaranda*, *A. Brun*.

On the Part of the Lords the States, besides those express'd in the foresaid 72d Article, are nam'd those that follow.

ON the Part of the Lords the States General of the *United Provinces of the Low-Countries*, shall be comprehended in the Treaty of Peace between the King of *Spain*, and the said Lords the States, besides those nam'd in the 72d Article of the said Peace, *John Albert*, Count of *Solms*, Governor of *Maastricht*, with the Towns, Castles, Jurisdictions, Lands and Dominions to him belonging, and the Inhabitants thereof, without prejudice to others who may be nam'd within the Term express'd in the 72d Article of the said Peace. Given at *Munster* the 8th of *July*, 1648. Sign'd and seal'd, *L. S. B. de Gent*; *L. S. Adrian Paw*; *L. S. John de Mathenesse*; *L. S. W. Ripperda*; *L. S. A. Klandt*.

The including of the Count of Bentheim.

ON the Part of the Lords the States General of the *United Provinces of the Low Countries*, shall be included in the Treaty of Peace between the Lords the King of *Spain*, and the said States (besides those already nam'd in the 72d Article) *Ernest William*, Count of *Bentheim*, *Steynsfurd*, &c. with their Towns, Castles, Jurisdictions, Lands and Dominions, and their Inhabitants, without prejudice to others that may be yet nam'd by the said Lords, within the Term express'd in the said 72d Article. Given at *Munster* the 8th of *July*, 1648. Sign'd and seal'd, *L. S. B. van Gent*; *L. S. Adr. Paw*; *L. S. John van Mathenesse*; *L. S. W. Ripperda*; *L. S. Ad. Klandt*.

The Count of *Oldenburg* did likewise earnestly request the States General by his Envoy, to be included in the said Treaty; but by Decrees of the 23d of *May*, and 6th of *August*, it was deny'd him, because he had for many years demanded Toll in the *Weser*, in order to discourage and obstruct Commerce, especially that of this State; and as a Reward of the notable Service and Assistance formerly given by the Count's Grandfather to hi;

his Imperial Majesty, which the Count expressly exhibits among the Reasons of asking that Toll from the Emperor *Mathias*, in the year 1612.

A Particular Article concerning Navigation and Commerce, concluded the 4th of February, 1648.

THE Subjects and Inhabitants of the *United Provinces* may sail and trade with all Freedom and Safety, in all the Kingdoms, States and Countries which are or shall be in Amity or Neutrality with the States of the *United Provinces*; and they may not be disquieted or molested in their Navigation and Traffick aforesaid, upon the account of Hostilities which happen, or may happen afterwards, between the said Lord the King of *Spain*, and the foresaid Kingdoms, Countries, States, or any of them, that may be in Amity or Neutrality with the said Lords the States as above; yet without permission to carry to the declar'd Enemies of the said Lord the King, prohibited or contraband Goods or Merchandizes. And in order to prevent this, and that the Course of Commerce may not be interrupted, they shall be oblig'd, when they enter into any Harbours of the said Lord the King, with a Design to go from thence to the Harbours of the Enemy, to show their Passports containing the Particulars of their Loading, attested and mark'd with the ordinary Mark, and approv'd by the Officers of the Admiralty of that Quarter from whence they part; but they must not over and above be visited or search'd, and far less detain'd under any Pretext whatsoever: as also when they are in the open Sea, or come into any Roads, without designing to enter into Harbours, or break their Bulk, they shall not be oblig'd to give any account of their Lading. But it must be observ'd, that the Lords the States shall expressly forbid all their Subjects to carry any prohibited or contraband Merchandizes to the Enemies of the said King; and they shall give Countermarks, in order the better to know the validity of the said Passports of the Admiralty, that so they may not be falsify'd: Provided always that the Navigation and Commerce of the Subjects of the *United Provinces* with *France*, may reciprocally continue as formerly, on condition

dition they do not carry into *France* Merchandizes coming from the States of the said King of *Spain*, that may be employ'd against him and his States. And in case there be found in the said Ships such Goods, Merchandizes or Commodities, as are declar'd prohibited and contraband, only the said Goods, Merchandizes and Commodities prohibited and contraband shall be challeng'd and confiscated; but the Ship, and the other Goods, Merchandizes and Commodities in the said Ship may not, for that reason, be molested or confiscated in any wise. And reciprocally the Subjects of the said Lord the King shall have the same Liberty and Freedom of Navigation and Traffick, in case there should be any Hostility between the said Lords the States, and the Kingdoms, States or Countries, or any of them, which are or shall be in Amity or Neutrality with the said Lord the King of *Spain*, and that conformably to the foresaid Conditions and Restrictions specify'd in this Article.

This Article shall be observ'd, executed and held as inserted in the Treaty of Peace, ratify'd by the Lord the King of *Spain*, and the Lords the States General of the *United Provinces* of the *Low Countries*, as the said principal Treaty, within two months after the Exchange of the Ratifications of the said principal Treaty, concluded and sign'd the 30th of *January* of this present year 1648, or as soon as possible after the said Exchange; and the Ratifications shall be exchange'd and deliver'd on both sides in due and valid Form. Done, settled and sign'd by the said Ambassadors Extraordinary, and Plenipotentiaries of the said Lord the King of *Spain*, and the said States General of the *United Provinces* of the *Low Countries*, at *Munster* the 4th of *February*, 1648. Sign'd and seal'd in two Columns, *El. Conde de Pagnaranda, A. Brun, Bartold van Gent, J. van Mathenesse, Adrian Pauw, Godart van Reede, F. van Donia, G. Ripperda, A. Klandt.*

Articles concerning Henry of Nassau, Prince of Orange, whereof mention is made in the preceding Treaty between Spain and Holland, and which were settled at Munster the 8th of January 1647.

WHEREAS the Lord the Prince of *Orange* (besides the Parties which shall be mention'd in the Treaty of Peace made by the Ambassadors Extraordinary and Plenipotentiaries of his Majesty of *Spain*, and of the States of the *United Provinces*) pretends to have many Actions and Pretensions, upon which he has not to this time receiv'd any Satisfaction, and therefore proposing to produce them in the said Treaty (but as they consist of diverse Parts of Accounts and Liquidations, which may be more easily adjusted by themselves with the said Prince by Advice of the Ambassadors Extraordinary and Plenipotentiaries of the *United Provinces*) he thinks fit to treat of them separately with his said Majesty to have Satisfaction for them.

In consequence whereof Don *Gaspar de Braccamonte* and *Guzman*, Count of *Pegnaranda*, Gentleman of his Majesty's Bedchamber, of his Privy Council and Council of State, his Ambassador Extraordinary in *Germany*, and first Plenipotentiary for the Treaty of a General Peace, &c. on the part and in the name of his said Majesty; and Messire *John van Knuyt* Knight, Lord of *Old* and *New Wosmar*, and Representative of the Nobility in the Assembly of the States of the Province of *Zeeland*, Ambassador Extraordinary and Plenipotentiary from the States General of the *United Provinces*, for the Treaty of Peace, and Counsellor to the said Prince of *Orange*, on the part and in the name of the said Prince, having enter'd upon Conferences, and offer'd several Propositions, have finally agreed upon what follows, *viz.*

I. That in order entirely to extinguish all Actions and Pretensions which the said Lord the Prince might have against his said Majesty, he shall give up and yield to the said Lord the Prince, or (if he should die before the Conclusion

Conclusion and Ratification of the foresaid Treaty of Peace) to his Heirs and Successors, or to those concern'd, the Lands and Domains of *Montfort* situated about *Ruremond*, and of *Turnhout* situated in *Brabant*, with all their Appendages, Rights and Jurisdictions, without reserving any of them: and it being reckon'd that the Revenue of the foresaid Land of *Montfort* may amount yearly to twenty five Thousand Florins, and that of *Turnhout* to twelve Thousand Florins; it is bargain'd, That in case the said Revenues should fall short, his said Majesty shall augment them to the foresaid Sums of twenty five Thousand, and twelve Thousand Florins respectively: and his said Majesty shall over and above yield, for the Benefit of the Lady the Princess of *Orange*, the Town and Domain of *Sevenbergen*, with all the Rights, Jurisdictions and Revenues thereto belonging, his said Majesty promising to consent and satisfy all those who may have any Pretensions upon the said three Lands, Towns and Domains, or who possess any Part of them; and his said Majesty likewise obliges himself to discharge all Mortgages, Interests, Engagements, and all other Burdens and Claims, that so the said Lord the Prince, and the said Lady his Consort, Princess of *Orange*, their Heirs and Successors, &c. may possess them freely and fully, without any Controversy or Engagement.

II. The whole on condition of holding in Fee of his said Majesty all the said Lands, except such as are held in fee of others; and that the Catholick Religion shall be maintain'd in them, as it is at present, and the Ecclesiasticks maintain'd in all their Goods, Functions, free Exercises and Immunities.

III. Upon account of which Cessions the said *Sieur van Knuyt* in the Name of the said Prince, and (in case he dies before the Ratification of the foresaid Treaty of Peace) in the name of his Heirs and Successors, &c. promises to give up and quit all Actions and Pretensions which the said Prince might bring against his Majesty or his Subjects.

IV. And altho by the XXIVth Article of Peace it shall be stipulated, That they whose Goods shall have been seiz'd and confiscated upon the account of the War, or their Heirs, &c. shall be put in possession of the said Goods, and enjoy them during the Peace, and

claim them by their own private Authority, and by virtue of this present Treaty, without being oblig'd to have recourse to Law, notwithstanding all Fiscal Incorporations, Engagements, Treaties, Agreements and Transactions, or any Renunciations whatsoever included and inserted in the said Transactions, to exclude from a part of the said Goods those to whom they should belong :

V. Yet notwithstanding hereof, it is agreed, That the said Prince, or (in case he should die before the Conclusion and Ratification of the foresaid Treaty of Peace) his Heirs, Successors, &c. shall remain in the possession and enjoyment of the Marquisat of *Bergen op Zoom*, as fully as the said Prince is in possession of it at present; as also the said Prince and his Heirs, as is said, shall be put by his Majesty in the full possession and enjoyment of that Part and Portion of *Bergen*, whereof the said Prince is not yet in possession; and that so soon as the Treaty of Peace shall be ratify'd : in ballance of which Important Marquisat, his Majesty shall be put in full possession and enjoyment of the following Places belonging in property to the said Prince; viz. the Town and Barony of *Diest*, the Land and Town of *Sichen* and *Montagu*, the free Domain of *Meerhout* and *Vast*, the free Domain of *Herstal*, the Barony of *Grimbergen*, the Town and Barony of *Warenton*, with all their Appennages and Dependencies, as also the said Prince's House in *Brussels*; and this until an effective Exchange on the part of his Majesty be made of the said Marquisat with all that depends thereupon, for the Possessions of the said Prince : and when the said Exchange is made, the said Marquisat shall remain for ever to the said Prince, his Heirs and Successors ; and the other said Possessions to his Majesty, or to him who shall have a Right to the said Marquisat : The said Count of *Pegnaranda* promising on the part of his Majesty, that the said Exchange shall be obtain'd within the Term of six Months after the Ratification of the Treaty of Peace.

VI. His said Majesty shall also use his utmost Interests and Endeavours with his Imperial Majesty, That the Land of *Meurs* belonging to the said Prince may be enlarg'd, by adding to it some Place in the Empire situated thereabout, worth ten Thousand Florins yearly ; and

at the whole may be erected into a Dutchy, and
n fee of the Empire from henceforth.

. The whole on condition that this present Agree-
shall not be obligatory till the Conclusion of the
Treaty of Peace; but the said Treaty of Peace be-
concluded, the present Agreement shall be entirely
unctually fulfil'd, effected and observ'd, and be of
me Validity as the foresaid Treaty of Peace.

de at *Munster*, the 8th of *January* 1647. sign'd,
nde de *Pegnaranda*, *Frere Joseph* Archbishop of
ay, *J. van Knuyt*.

e undersign'd Archbishop of *Malines*, Bishop of
erp, &c. all in Quality of Members of the first
of the Dutchy of *Brabant*, having seen and exa-
the Treaty and Agreement made at *Munster* in
month of *January* last past, between the Lord the
t of *Pegnaranda*, as Ambassador Extraordinary and
Plenipotentiary for the General Peace, in the Name
s Majesty, on the one part; and Messire *John van*
Knight, Lord of *Old and New Wosmar*, Ambaf-
Extraordinary and Plenipotentiary from the Lords
ates General of the *United Provinces*, for the
Treaty of Peace, in the Name of the late Prince of
ge, on the other part; the said Treaty being con-
above, and sign'd as well by the said Lords con-
ng as by the Lord the Archbishop of *Cambray*,
ise Ambassador Extraordinary and Plenipotentiary
his said Majesty; They underwritten, at the Re-
of the serene Prince *William Leopold*, Archduke of
ia, &c. in the Name of his Majesty, as Lieutenant
Governor General of the *Low-Countries* and *Bur-*
, have promis'd and do hereby promise, That his
ty will fulfil the foresaid Treaty according to its
and Tenor. Done at *Brussels*, the 30th of *August*

James Archbishop of *Malines*, *Gaspar* Bishop of
erp, *Christom* Abbot of *St. Michael*, *Christ*. Abbot
imb, *Augustin* Abbot of *Tongerloo*, *Martin* Abbot
eligem, *Winand de la Mayelle* Abbot of *St. Ger-*

Other Articles made after the Death of Henry of Nassau Prince of Orange, in favour of William of Nassau Prince of Orange, Successor to Henry; concluded the 27th of December 1647. but which are not to be of Force till after the Execution of the Treaty abovesaid between Spain and Holland, and consequently should be consider'd as an Appendix to it.

WHEREAS Don Gaspar of Bracamonte and Guzman, Count of Pegnaranda, Gentleman of his Majesty's Bedchamber, of his Privy Council, his Ambassador Extraordinary and Plenipotentiary for the Treaty of a General Peace, on the part and in the Name of his said Majesty; and Messire J. van Knuyt, &c. Lord of Old and New Wosmar, and Representative of the Nobility in the Assembly of the States of the Province of Zeeland, Ambassador Extraordinary and Plenipotentiary from the States General of the United Provinces for the Treaty of Peace, and first Counsellor to the late Prince of Orange, on the part and in the name of the said Prince, have made a certain Agreement on the 8th of January 1647. touching the Pretensions which the said Prince claim'd against his said Majesty; and whereas since the Decease of the said Lord the Prince, the said Parties contracting, viz. the Count of Pegnaranda in the name of his said Majesty, and the said Sieur van Knuyt in the name of the Lord the Prince of Orange, have at present concluded and agreed, That for the future the foresaid Agreement of the 8th of January 1647, shall continue and remain in its full Force and Virtue, to be punctually observ'd and executed in all Points, excepting what shall be chang'd by this present Agreement as follows, viz.

I. That in order entirely to extinguish all Actions and Pretensions which the said Lord the Prince might have against his said Majesty, he shall give and yield absolutely to the said Lord the Prince, or (if he should
come

come to die before the Conclusion and Ratification of the foresaid Treaty of Peace) to his Heirs and Successors, the Land and Domain of *Montfort*, situated about *Ruremonde*, with all the Appennages and Dependencies, Rights and Jurisdictions thereof, without any Reserve; his said Majesty promising to augment the Revenues of the said Land and Domain by Land situated thereabout to the Value of two Thousand Florins, without Deduction or Reserve.

II. His said Majesty shall give and yield, over and above this, for the Benefit of the Lady the Princess Dowager of *Orange*, Mother to the said Lord the Prince of *Orange*, the Town and Domain of *Sevenbergen*, with all the Rights, Jurisdictions and Revenues thereon depending, without any Reserve.

III. He shall yield and grant moreover for the Benefit of the said Lady Dowager the Land and Domain of *Turnhout*, situated in *Brabant*, with the Castle of *Schoonbroeck*, and all the other Appennages and Dependencies, Rights and Jurisdictions, without any Reserve; his said Majesty promising to add to the said Land and Domain of *Turnhout*, for the Benefit of the said Lady Princess Dowager of *Orange*, the Villages, Hamlets, and other Rights which formerly depended upon and belong'd to the said Land and Domain, comprising those which have been formerly sold and dismember'd by his said Majesty, obliging himself to have them redeem'd, and to lay out upon the said Redemption the Sum of twenty or twenty five Thousand Florins, and no more.

IV. His said Majesty also promising to content and satisfy all who may have any Right, or who possess any part of the foresaid three Lands, Town and Domain of *Montfort*, *Sevenbergen* and *Turnhout*; and his Majesty obliges himself over and above, to discharge the said Parts of all Mortgages, Interests, and all other Burdens, without any Reserve; that so the said Lord the Prince, and the said Lady the Princess his Mother, their Heirs, Successors, &c. as is said, may enjoy them freely and fully without any Controversy or Engagement.

V. The whole on condition of holding all the said Lands in Fee of his Majesty, excepting such as are held in Fee of others; and that the Catholick Religion be there maintain'd, as it is at present, and the Ecclesi-

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asticks be maintain'd in their Goods, Functions, Freedoms and Immunities.

The other Articles being word for word the same with those concluded on the 8th of February this same Year, the Reader may see them above.

A Treaty of Peace between the Empire and Sweden, concluded and sign'd at Osna-brug the 24th of October, 1648. The King of France was comprehended in this Treaty as an Ally of Sweden.

BE it known to all and singular whom it does concern, or whom it may in any manner concern, That after the Differences and Troubles which began several years ago in the *Roman Empire*, had come to such a height, that not only all *Germany*, but likewise some neighbouring Kingdoms, especially *Sweden* and *France*, found themselves so involv'd in them, that from thence there arose a long and cruel War; in the first place, between the most Serene and most Potent Prince and Lord, *Ferdinand III.* of Glorious Memory, chosen Emperor of the *Romans*, always August, King of *Germany*, *Hungary*, *Bohemia*, *Dalmatia*, *Croatia*, *Sclavonia*, &c, Archduke of *Austria*, Duke of *Burgundy*, *Brabant*, *Stiria*, *Carinthia* and *Carniola*, Marquis of *Moravia*, Duke of *Luxemburg*, of the *Upper* and *Lower Silesia*, *Wirtemberg* and *Teck*, Prince of *Swabia*, Count of *Hapsburg*, *Tirol*, *Kyburg* and *Goricia*, Landtgrave of *Alsacia*, Marquis of the Sacred Empire, *Burgovia*, the *Upper* and *Lower Lusatia*, Lord of the *Sclavonick Borders*, *Port Naon* and *Salines*, his Confederates and Adherents on the one side; and the most Serene and most Potent Prince and Lord *Gustavus Adolphus*, King of *Sweden*, of the *Goths* and *Vandals*, Great Prince of *Finland*, Duke of *Esthonia* and *Carelia*, and Lord of *Ingria*, likewise of Glorious Memory, the Kingdom of *Sweden*, its Allies and

and Confederates on the other side: And after his Decease, between the most Serene and most Potent Prince and Lord *Ferdinand III.* elected Emperor of the *Romans*, always August, &c. with his Allies and Adherents on the one side; and the most Serene and most Potent Princess and Lady *Christina*, Queen of *Sweden*, &c. her Allies and Adherents on the other side; upon which ensued a great Effusion of Christian Blood, and Devastation of several Provinces. At last it fell out by an Effect of the Divine Bounty, that both sides turn'd their Thoughts towards the means of making Peace, and that by a mutual Agreement made at *Hamburg* the 25th of *December* N. S. or the 15th O. S. 1641. between the Parties, the 11th N. S. or the 1st O. S. 1643. was by common Consent appointed for beginning the Assembly or Congress of Plenipotentiaries at *Osnabrug*, and at *Munster* in *Westphalia*. In consequence whereof, the Ambassadors and Plenipotentiaries lawfully establish'd on both sides, having appear'd at the mention'd Time and Place, viz. on the part of the Emperor, the most Illustrious and Excellent Lords, *Maximilian* Count of *Trautmansdorf* and *Weinsberg*, Baron of *Gleichenberg*, *Neustat* upon the *Cockie*, *Negovia*, *Burgovia* and *Torzenbach*, Lord of *Teitnitz*, Knight of the Golden Fleece, Privy Counsellor and Chamberlain to his Sacred Imperial Majesty, and Great Master of his Court; *John Maximilian*, Count of *Lamberg*, free Baron of *Orteneck* and *Ottenstein*, Lord of *Stockam* and *Ammerang*, Burgrave of *Stayer*, &c. and *John Cranen*, Chamberlain to his said Sacred Imperial Majesty, Licentiate in the Laws, and Count *Palatine*, his Imperial Majesty's Aulick Counsellors. And on the part of the Queen of *Sweden*, the most Illustrious and most Excellent Lords, *John Oxenstiern*, *Axelson*, Count of the Southern *Morea*, free Baron of *Kincirha* and *Nynaas*, Lord of *Fyholm*, *Hornigholm*, *Sudorbo* and *Lidoo*, Senator of the Kingdom of *Sweden*, and Counsellor of the Chancery; and *John Adler Salvius*, Lord of *Adlersberg*, *Harsfield*, *Wildenbruck* and *Tullingen*, Senator of the Kingdom of *Sweden*, Privy Counsellor to her Royal Majesty, and Chancellor of her Court. After having invok'd the Assistance of God, and reciprocally exchange'd the Originals of their respective full Powers, they transacted and agreed among themselves, to the Glory of

God, and Safety of the Christian World (the Electors, Princes and States of the Sacred *Roman* Empire being present, approving and consenting) the Articles of Peace and Amity, whereof the Tenour follows.

The Re-esta-
blishment of
Peace and A-
mity. I. That there be a Christian, universal and perpetual Peace, and a true and sincere Friendship and Amity between his Sacred Imperial Majesty, the House of *Austria*, and all his Allies and Adherents, and the Heirs and Successors of each of them, chiefly the King of *Spain*, and the Electors, Princes and States of the Empire, of the one side; and her Sacred Royal Majesty, and the Kingdom of *Sweden*, her Allies and Adherents, and the Heirs and Successors of each of them, especially the most Christian King, the respective Electors, Princes and States of the Empire, of the other side; and that this Peace be observ'd and cultivated sincerely and seriously, so that each Party may procure the Benefit, Honour and Advantage of one another, and thereby the Fruits of this Peace and Amity may be seen to grow up and flourish anew, by a sure and reciprocal maintaining of a good and faithful Neighbourhood between the *Roman* Empire and the Kingdom of *Sweden* reciprocally.

An Amnesty
from all Hosti-
lity. II. That there be on both sides a perpetual Oblivion and Amnesty of all that has been done since the beginning of these Troubles, in what Place or in what Manner soever Hostilities may have been exercis'd by the one or the other Party; so that neither for any of those things, nor upon any other Account or Pretext whatsoever, any Act of Hostility or Enmity, Vexation or Hindrance shall be exercis'd or suffer'd, or caus'd to be exercis'd, either as to Persons, Condition, Goods or Security, either by one's self or by others, in private or openly, directly or indirectly, under form of Right or Law, or by open Deed, either within, or in any Place whatsoever without the Empire, notwithstanding all former Compacts to the contrary; but that all Injuries, Violences, Hostilities and Damages, and all Expences that either side has been oblig'd to be at, as well before as during the War, and all Libels by Words or Writing shall be entirely forgotten, without any regard to Persons or Things; so that whatever might be demanded or pre-

tended

tended by one against another upon this account, shall be bury'd in perpetual Oblivion.

III. According to this Foundation of a general and unlimited Amnesty, all and every the Electors of the Sacred *Roman* Empire, the Princes and States therein included, the Nobility that hold immediately of the Empire, their Vassals, Subjects, Citizens and Inhabitants, who upon occasion of the Troubles of *Bohemia* and *Germany*, or upon the account of Alliances contracted on one side and another, may have suffer'd any Prejudice or Damage from either Party, in any manner, or under any pretext whatsoever, either in their Domains, Goods, Fees, Sub-Fees, Allodials, or in their Dignities, Immunities, Rights and Privileges, shall be fully re-establish'd on both sides, in the same State, both as to Spirituals and Temporals, which they enjoy'd, or could of Right enjoy before those Troubles, notwithstanding all the Changes made to the contrary, which shall be annul'd and remain void.

But as these and such like Restitutions ought to be all understood, saving whatsoever Rights, either of *Dominium directum*, or *Dominium utile*, go along with the Goods which are to be restor'd, whether Secular or Ecclesiastical, and belong to him who makes Restitution, or to him to whom Restitution is made, or to any third Person; saving also the Rights which lie undetermin'd either in the Imperial Court, or in the Imperial Chamber, or in the other mediate or immediate Tribunals of the Empire; so this general saving Clause, or others more special mention'd afterwards, may not in any ways hinder this Restitution: But these Competencies, Rights, Actions and Processes shall, after Restitution made, be examin'd, discuss'd and dispatch'd before the competent Judge. Nor shall this Reserve be of any prejudice to the said universal and unlimited Amnesty, nor extend to Proscriptions, Confiscations, and other such like Alienations; and far less shall it derogate from the Articles that shall be otherwise agreed, and particularly to the redressing of Grievances: for it will appear afterwards, in the Article of redressing of Ecclesiastical Grievances, what Right those who are or shall be restor'd shall have in Ecclesiastical Goods, which have been contested, and under debate, to this very time.

IV. Now

The Point of politick Grievances.

IV. Now altho it may be easily perceiv'd by the preceding general Rule, who they are that are to be restor'd, and in what measure, yet the Parties were willing at the Instance of certain Persons, to mention some other Causes of the greatest Importance, in the following manner; so that they who are not expressly, or not at all nam'd or retrench'd, are not therefore reckon'd to be omitted or excluded.

The Palatine Cause.

The Cause of the *Palatine* House has first of all been discuss'd by the Assembly of *Osnabrug* and *Munster*; so that the Contest which has been so long depending, has been terminated in the following manner.

1. As to what concerns the House of *Bavaria*, the Electoral Dignity which the Electors *Palatine* formerly had, with all the Regal Rights, Offices, Precedencies, Ornaments, and other Rights whatsoever appertaining to that Dignity, without any Exception; as also the *Upper Palatinate*, and the County of *Cham*, with all their Regal Rights, other Rights, and all their Appurtenances, shall remain, as formerly, so for the future, to *Maximilian* Count *Palatine* of the *Rhine*, Duke of *Bavaria*, his Children, and the whole *Guelphine* Branch, so long as there shall remain Male Princes.

2. On the other hand, the Elector of *Bavaria* shall entirely renounce for him, his Heirs and Successors, the Debt of thirteen Millions, and all Pretensions upon the *Upper Austria*; and shall immediately, after the Conclusion of the Peace, give up to his Imperial Majesty all Acts thereupon obtain'd, that they may be made void and null.

3. And as to what concerns the *Palatine* Family, the Emperor and Empire do consent, out of regard to the publick Tranquillity, That by virtue of the present Convention an eighth Electorate be establish'd, which the Lord *Charles Lewis*, Count *Palatine* of the *Rhine*, and his Heirs descending from the *Rodolphine* Line, shall enjoy and possess, according to the Order of Succession express'd in the Golden Bull; but neither the said Lord *Charles Lewis*, nor his Successors, can have any other Right than the simultaneous Investiture, in what was formerly

merly given with the Electoral Dignity to the Elector of *Bavaria*, and the whole *Gulielmine* Branch.

4. That the whole *Lower Palatinate*, with all and every the Ecclesiastical and Secular Goods, Rights and Appurtenances, which the Electors and Princes *Palatine* enjoy'd before the Troubles of *Bohemia*; as also all the Documents, Registers, Accounts, and other Acts depending thereupon, shall be entirely restor'd to him, annulling all that has been done to the contrary; which shall be effected by the Imperial Authority: So that neither the Catholick King, nor any other possessing any of them, may in any manner oppose this Restitution.

5. Now forasmuch as certain Bailliages of *Bergstat*, appertaining of old to the Elector of *Mentz*, were engag'd in the year 1463. to the Counts *Palatine* for a certain Sum of Mony, on condition of perpetual Redemption; it is therefore agreed, that these same Bailliages shall return and remain to the Lord the Elector of *Mentz*, who fills the See at present, and to his Successors in the Archbishoprick of *Mentz*; provided that the Price and Engagement voluntarily offer'd be paid in ready Mony, within the fix'd term of the execution of the Treaty, and that he satisfy the other Conditions to which he is oblig'd by the Tenor of the Act of Engagement.

6. That the Elector of *Treves*, in quality of Bishop of *Spires*, and the Bishop of *Worms*, shall also be at liberty to sue, before competent Judges, for the Rights which they pretend to upon certain Ecclesiastical Revenues, in the Territory of the said *Palatinate*, if those Princes do not amicably agree among themselves.

7. If the *Gulielmine* Male Line should become intirely extinct, and the *Palatine* Line continue, not only the *Upper Palatinate*, but likewise the Electoral Dignity, whereof the Dukes of *Bavaria* are in possession, shall return to the said surviving Counts *Palatine*, who shall at the same time enjoy the simultaneous Investiture, and then the eighth Electorate shall remain entirely extinct and bury'd; but the *Upper Palatinate* in that case returning to the surviving Counts *Palatine*, the Actions and Benefits which of Right appertain to the Heirs Allodial of the Elector of *Bavaria*, shall be preserv'd to them.

8. That the Family-Compacts made between the Electoral Family of *Heidelberg*, and that of *Newburg*, which were

were confirm'd by former Emperors, touching the Electoral Succession, as also the Rights of the whole *Rodolphine* Line, in so far as they are not contrary to the present Disposition, shall be entirely preserv'd and maintain'd.

9. If it can be made appear by a competent legal Proof, that any Fiefs of the Country of *Fuliers* are not engag'd, they shall be evacuated for the benefit of the Electors *Palatine*.

10. Besides, in order to discharge in some measure the Lord *Charles Lewis* from his Obligation to his Brothers for Appennage, his Imperial Majesty shall appoint four hundred thousand Rixdollars to be paid to his said Brothers in the Term of four Years, reckoning from the beginning of the next Year 1649. at the rate of a hundred thousand Rixdollars a year, with Interest at 5 *l. per cent.*

11. Moreover, that the whole *Palatine* Family, with all and every one who are or have been any way attach'd to it, more especially the Ministers who have been employ'd for it in this Assembly, or elsewhere, as also those who are banish'd from the *Palatinate*, shall enjoy the General Amnesty above specify'd, with an equal Right, and as fully as others who are compriz'd in the said Amnesty and this Transaction, particularly with regard to Grievances.

12. The Lord *Charles* and his Brother shall reciprocally pay Obedience, and observe Fidelity to his Imperial Majesty, as well as the other Electors and Princes of the Empire; and as well he as his Brother shall renounce for them and their Heirs the *Upper Palatinate*, as long as there shall be lawful Heirs Male of the *Gulielmine* Branch.

13. Now whereas it has been provided to allow a Subsistence for the Widow-Mother to the said Prince, and to secure a Portion to the Sisters of the said Prince, his Imperial Majesty, as a Mark of his Affection for the *Palatine* Family, has promis'd to pay once for all twenty thousand Rixdollars for the Subsistence of the said Widow, Mother to the said Prince, and ten thousand Rixdollars to each of the Sisters of the said Lord *Charles Lewis* upon their Marriage; and the said Lord *Charles Lewis* shall be oblig'd to make up the remainder.

14. That

14. That the said Lord *Charles Lewis*, and his Successors to the Lower *Palatinate*, shall not in the least molest the Counts of *Lainingen* and *Daxburg*, but shall suffer them peaceably and quietly to enjoy and make use of their Rights, obtain'd by them many Ages ago, and confirm'd by the Emperor.

15. That he shall inviolably allow the free Nobility of the Empire in *Franconia*, *Swabia*, and along the *Rhine*, as also the Countries belonging to the said Nobility, to remain in the state they are in at this present.

16. That the Fiefs confer'd by the Emperor upon Baron *Gerhard of Waldenburg*, call'd *Schenkbern*; upon *Nicolas George Reigersberg*, Chancellor of *Mentz*, and *Henry Brombser*, Baron of *Rudesheim*; as also by the Elector of *Bavaria* upon Baron *John Adolphus Wolff*, call'd *Metternich*, shall remain to them entire: However these Vassals shall be oblig'd to take an Oath of Fidelity to the said Lord *Charles Lewis* as their *Dominus directus*, and to his Successors, and demand of him the Renewal of their Fiefs.

17. That those of the Confession of *Augsburg*, who were in possession of Churches, and among the rest the Burgeses and Inhabitants of *Oppenheim*, shall be preserv'd and maintain'd in the Ecclesiastical State of the Year 1624. and that it shall be allowable for others who are willing to embrace the Exercise of the *Augsburg* Confession, to practise it, as well publickly in the Churches at set Hours, as in private in their own Houses, or other Places appointed for that end by their Ministers of the Divine Word, or by those of their Neighbours.

18. Prince *Lewis Philip*, Count Palatine of the *Rhine*, shall recover all the Countries, Dignities and Rights, as well in Ecclesiasticals as Temporals, which fell to him by his Ancestors by Succession and Share, before this War.

19. Prince *Frederick*, Count Palatine of the *Rhine*, shall receive and retain the fourth part of the Customs of *Wiltzbach*, as also the Cloister of *Hornsbach*, with the Appurtenances, and the whole Right which his Father had and possess'd there formerly.

20. That Prince *Leopold Lewis*, Count Palatine of the *Rhine*, shall be fully re-establish'd in the County of *Veldenz* upon the *Moselle*, in the same State, as to Ecclesiasticals and Temporals, as his Father possess'd it in the Year

Year 1624. notwithstanding all that has been attempted to the contrary.

21. The Difference between the Bishops of *Bamberg* and *Wirtzburg*, and the Marquiss of *Brandenburg*, *Culmbach* and *Onoltzbach*, touching the Castle, City, Bailliage and Monastery of *Kitzingen* upon the *Mayn* in *Franconia*, shall be terminated in the space of two Years by an amicable Accommodation, or by summary legal Methods, upon pain of the Reculant's losing his Pretension: In the mean while, the Fortrefs of *Wiltzburg* shall be restor'd to the said Lords the Marquisses, in the same state it was in when it was deliver'd by Agreement and Stipulation.

22. The House of *Wirtemberg* shall remain peaceably in the recover'd Possession of the Bailliages of *Weinsberg*, *Neustadt*, *Wirtemberg*, and *Meckmukle*; and it shall be likewise re-establish'd in all the Goods and Rights which it possess'd any where before these Troubles; and among others, the Bailliages of *Baubeuren*, *Achalm*, and *Stauffen*, with their Appurtenances, and the Goods possess'd upon pretence that they depended thereon, especially in the Town and Territory of *Coppingen*, and the Village of *Pflumeren*, the Revenues whereof were piously founded for the maintaining and upholding the University of *Tubingen*. That House shall also recover the Bailliages of *Heidenheim* and *Oberkirch*, as also the Towns of *Balingen*, *Tutlingen*, *Ebingen*, and *Rosenfeld*, the Castle and Village of *Neidlingen*, with their Appurtenances; and likewise *Hohentwyl*, *Hohenasperg*, *Hohenaurach*, *Hohen-tubingen*, *Albeck*, *Hornberg*, *Schiltach*, with the Town of *Schorndorf*. In like manner shall be restor'd the Collegiate Churches of *Stutgard*, *Tubingen*, *Hernberg*, *Goppingen* and *Bachnang*; as also the Abbies, Provostships, and Monasteries of *Bebenhausen*, *Maubron*, *Anhausen*, *Lorch*, *Adelberg*, *Denkendorf*, *Hirschau*, *Blaubeuren*, *Herprechtingen*, *Murhard*, *Albersberg*, *Konigsbrun*, *Herrnalb*, *St. George*, *Reichenbach*, *Pfulligen*, and *Lichtenstern*, or *Mariencron*, and the like, with all the Documents which have been drawn from thence; saving nevertheless and reserving all the Rights, Actions, Exceptions, and the Benefits pretended by the House of *Austria* and

and that of *Wirtemberg* upon the Bailliages of *Blaubeuren*, *Achalm*, and *Stauffen*.

23. The Princes of *Wirtemberg* of the *Montbeliard* Branch shall in like manner be re-establish'd in all their Domains situated in *Alsace* and elsewhere, and namely in the two Fiefs of *Upper Burgundy*, *Clerval* and *Passavant*; and shall be restor'd by both Parties to the same States, Rights, and Prerogatives, and especially to their immediate Dependance upon the *Roman Empire*, which they enjoy'd before the beginning of these Troubles, and which the other Princes and States of the Empire do or ought to enjoy.

24. And as to the Affair which relates to the Family of *Baden*, it has been agreed in the following manner: *Frederick* Marquis of *Baden* and *Hochberg*, and his Sons and Heirs, with those who have done or do him service, of whatsoever Name or Condition they be, shall enjoy the Amnetty above-specify'd, in the second and third Articles, with all their Clauses and Advantages; and by virtue thereof they shall be fully re-establish'd in the same state, as well to Spirituals as to Temporals, in which the Lord *George Frederick*, Marquis of *Baden* and *Hochberg*, was before the Rise of the Commotions in *Bohemia*, as well with respect to the lower Marquisate of *Baden*, which is commonly call'd *Baden-Dourlach*, as to the Marquisate of *Hochberg*, and the Seigneuries of *Rot-telen*, *Badenweiler*, and *Saussenberg*, notwithstanding all the Changes whatsoever that have happen'd to the contrary, which for that effect shall remain void and null. Next the Bailliages of *Stain* and *Renchingen*, which were granted to *William* Marquis of *Baden*, with all the Rights, Titles, Papers, and other Appurtenances, shall be restor'd to the Marquis *Frederick*, without any Burden of Debts contracted during that time by the said *William* Marquis of *Baden*, upon account of the Fruits, Interests, and Expences born by reason of the Transaction pass'd at *Erlingen* in the Year 1629. so that all that whole Action concerning the Expences and Fruits laid out and spent, with all Damages and Interests, shall be entirely abolish'd and extinct, reckoning from the time of the first Occupation. The annual Subsidy which the lower Marquisate was wont to pay to the upper Marquisate,

The Accommodation of the Differences of Baden.

state, shall be also entirely extinct, bury'd, and annul'd, by virtue of these Presents; so that from henceforth no one may demand any thing on that score, either for the time past or for the future. The Precedency shall for the future be alternative between these two Branches of *Baden*, viz. that of the lower and that of the upper Marquisate, in the Dyets and Assemblies of the Circle of *Swabia*, and at all the general or particular Assemblies of the Empire, or any other whatsoever; however for the present the Precedency shall remain to the Marquis *Fredrick* as long as he lives.

25. As to what relates to the Barony of *Hohengerolseck*, it has been agreed, That if the Lady the Princess of *Baden* can sufficiently prove by authentick Records and

Titles, the Rights by her pretended to in the said Barony, Restitution thereof shall be made her immediately after Sentence thereupon given, with all the Rights appertaining to her by virtue of the said Titles; provided however the Contest be terminated in the space of two Years, reckoning from the Day of the Publication of the Peace: and for that reason no Actions, Transactions, Exceptions, or Clauses general or special (from which Derogation has been made expressly and for ever upon that score) shall be alledg'd or admitted, at any time on either side, against this special Convention.

26. The Duke of *Croy* shall enjoy the Effect of the general Amnesty; nor shall the Protection of the most Christian King turn to his prejudice in any wise, as to his Dignity, Privileges, Honours and Goods, or in any other respect whatsoever. He shall likewise peaceably possess that part of the Domain of *Winzingen* which his Ancestors possess'd, even as the Lady Dowager his Mother possesses it at this present; saving the Rights of the Empire in the same state they were before these Troubles, with regard to *Winzingen*.

27. As to the Difference of *Nassau-Siegen* against *Nassau-Siegen*, the Matter having been remitted by an Imperial Commission in the Year 1643. to an amicable Accommodation, the same Commission shall be resum'd, and the Affair entirely decided in an amicable manner, as is said, or by a judicial Sentence before a competent Judge; and

and Count *John* of *Nassau* and his Brothers shall remain without any trouble in the Possession by them taken for their Shares.

28. To the Counts of *Nassau-Sarbruck* shall be restor'd all their Counties, Bailliages, Territories, Honours, and all their Goods Ecclesiastical and Secular, Feudal and Allodial; namely, the Counties of *Sarbruck* and *Sarwerden* entirely, with every thing depending thereupon, as also the Fortres of *Hombourg*, and the Pieces of Artillery and Movables that were found there; saving on both sides respectively the Rights, Actions, Exceptions, and Benefits of Law which are to be determin'd according to the Laws of the Empire, as well upon the account of things adjudg'd to the Revisor by Sentence the 7th of *July* 1629. as for the Damages sustain'd; if the Parties are not rather inclin'd to accommodate the Matter amicably: saving also the Rights which may appertain to the Counts of *Lainingen* and *Daxburg* in the County of *Sarwerden*.

29. The House of *Hanau* shall be re-establish'd in the Bailliages of *Baubbenhausen*, *Hanau*, *Bischoffheim*, *Amsteeg*, and *Wistat*.

30. *John Albert* Count of *Solms* shall in like manner be resettled in the fourth part of the Town of *Butzbac*, and in the four adjoining Villages. *Solms.*

31. To the House of *Solms-hohenfolms* shall also be restor'd all the Goods and Rights whereof it was despoil'd in the Year 1627. notwithstanding the Transaction thereupon made with the Lord, *George* Landgrave of *Hesse*.

32. The Counts of *Isenburg* shall also enjoy the general Amnesty inserted above in the second and third Articles; saving the Rights which *George* Landgrave of *Hesse*, or any other third Person may pretend against them, and against the Counts of *Hohenfolms*. *Isenburgh.*

33. The *Rhingraves* shall be resettled in their Bailliages of *Troneck* and *Wildenburg*, and the Seigneury of *Morchingen*, with their Appurtenances; as also in all their other Rights, usurp'd by their Neighbours. *Rhingraves.*

34. The Widow of Count *Ernest* of *Sayn* shall be also resettled in the Possession of the Castle, Town, and Bailliage of *Ha-* *Sayn.*

bemburg, with their Appurtenances, and the Village of *Bendorf*, where she liv'd before she was dispossest'd of it, saving however the Right, to whom it shall appertain.

35. The Castle and County of *Flacken-Flackenstein*. *stein* shall be restor'd to whom of right it appertains. All the Right likewise which appertains to the Counts of *Rasburg*, firnam'd *Lowenhaupt*, upon the Bailliage of *Bretzenheim*, Fiefs of the Archbishopsrick of *Cologne*, and upon the Barony of *Repoltz-Kirch* in *Huntsriich*, shall be maintain'd and preserv'd to them.

36. The House of *Waldeck* shall in like manner be resettled in the Possession of all its Rights in the Domain of *Didinghausen*, and in the Villages of *Nordernew*, *Lichtenschied*, *Defeld*, *Nidernchleidern*, as it enjoy'd the same in 1624.

37. *Joachim Ernest* of *Oettingen* shall be restor'd to all the Goods Ecclesiastical and Secular, which his Father *Eberhard* posses'd before these Troubles.

38. In like manner the House of *Hohenloe* shall be resettled in all that was taken from it, chiefly in the Domain of *Weickersheim*, and in the Cloyster of *Scheffersheim*, without any exception, especially of Retention.

39. *Frederick Lewis* Count of *Louven-Louvenstein*, *stein* and *Wertheim* shall be resettled in all his Counties and Domains, which during this War have been sequester'd and granted to others, as well in Temporals as in Spirituals.

40. *Ferdinand Charles* Count of *Louvenstein* and *Wertheim* shall in like manner be restor'd to all that was sequester'd, confiscated, and granted to his defunct Relations *George Lewis*, and *John Casimir*, and others, as well to Temporals as to Spirituals; saving nevertheless the Goods and Rights which belong to *Mary Christina*, Daughter to the said *George Lewis* of *Louvenstein*, in the Inheritance of his Father and Mother, in which she shall be resettled. The Widow of *John Casimir* of *Louvenstein* shall likewise be restor'd to her Portion and mortgag'd Goods; saving the Right of Count *Frederick Lewis*, if he has any Claims upon the said Goods, which shall be
su'd

sh'd for in an amicable way and by Composition, or in the lawful Course of Justice.

41. The Count of *Erbach*, and especially the Heirs of Count *George Albert*, shall be resettled in the Castle of *Bleuberg*, and in all the Rights which they have in common with the Count of *Louvenstein*, as well with relation to his Garrison and Command, as upon the account of other Civil Rights.

42. The Widow and Heirs of the Count of *Brandenstein* shall enter into possession of all the Goods and Rights which were taken away from them upon the account of the War.

43. *Paul Baron Kervenhuller*, with his Nephews by his Brother, Heirs to the Chevalier *Loffler*; the Children and Heirs of *Mark Conrad of Rheilingen*; as also *Hierom of Rheilingen*, shall be entirely resettled, every one in his due place, in every thing that was taken from them by Confiscation.

44. Contracts, Exchanges, Transactions, Obligations, and Promises illegally extorted, by Violence and Threats, either of States or Subjects, which *Spire, Weissemburg* upon the *Rhine, Landau, Rutlingen, Hailbron*, and other places complain of; as also Causes and Suits bought or given over to another, shall be abolish'd and annul'd: so that it shall not be lawful for any Person to commence an Action or Process upon that score. And if Debtors have extorted from Creditors, by Force or Fear, their Bonds and Obligations, they shall be all restor'd; the Actions grounded thereupon remaining in full force.

Forced Obligations void.

45. If Debts on account of Purchase, Sale, or annual Revenues, and others of what name soever, have been extorted by Violence out of spite and malice of the Creditors, by either of the Parties engag'd in War, there shall be no Execution decreed against the Debtors, who shall alledg and offer to prove that Violence has really been done them, and that they have really and indeed paid; provided those Exceptions shall not have been decided after a full Hearing of the Cause.

46. The Suits which shall commence upon that score, shall be terminated in the space of two Years, reckoning

from the Day of the Publication of the Peace, on pain of perpetual Silence in the case, to be enjoyn'd contumacious Debtors; but the Suits hitherto commenc'd against them upon that account, together with the Transactions and Promises made for the future Restitution to Creditors, shall be suppress'd and abolish'd; saving nevertheless the Sums of Money that have been paid *bona fide* for others during the War, to avert the greatest Dangers and Damages wherewith they were menac'd.

47. The Sentences pronounc'd in time of War touching Matters purely Secular (if the Defect of the Process do not evidently appear, or if it cannot be made out presently) shall not be altogether null, but shall be suspended and ineffectual, until the Evidences and Proofs (if either Party demands to have them revis'd within six Months after the Conclusion of the Peace) be review'd and examin'd in good and due Form, before competent Judges in the ordinary or extraordinary manner us'd in the Empire: and thus Sentences shall be confirm'd or corrected, or, in case of Nullity, totally revers'd and made void.

*Paying of Faith
and Homage to
begin from the
Day of the
Conclusion of
the Peace.*

48. And altho since the Year 1618. some Fiefs, whether royal or private, have not been renew'd, nor Homage paid in the mean while in name of the true Proprietors; yet that shall not turn to the prejudice of any one whatsoever: but the time for demanding the Investiture thereof, shall commence from the Day of the Conclusion of the Peace.

*General Resti-
tution.*

49. In fine, all and every one, as well Officers and Soldiers, as Counsellors and Judges, Civil and Ecclesiastical, of what Name and Condition soever they be, who have list'd themselves on either side, and fought for them or for their Allies and Adherents, whether with the Sword or with the Pen, from the highest to the lowest, without any difference or exception, together with their Wives, Children, Heirs, Successors and Servants, shall be resettled on both sides, as well with regard to their Persons as Goods, in the same state of Life, Reputation and Honour, Conscience and Liberty, Rights and Privileges, which they enjoy'd or could have enjoy'd before the said Commotions: and no hurt shall be done to their Persons or Goods upon that score, nor any Action or Pretext of

Action

Action commenc'd or laid against them; and far less shall they suffer any Punishment or Damage under any pretext whatsoever. All which things shall have their full and entire Effect absolutely, with regard to such as are not Subjects or Vassals to his Imperial Majesty, or to the House of *Austria*.

50. And as for those who are hereditary Subjects and Vassals to the Emperor and the House of *Austria*, they shall truly enjoy the same Amnesty as to their Persons, Life, Honour, and Conscience; and shall have liberty to return to their Country, on condition that they behave themselves according to the Laws in use in the said Kingdoms and Provinces.

51. As to what concerns their Goods, if they have been lost by Confiscation, or in any other manner, before the Owners declar'd for *Sweden* or *France* (altho the *Swedish* Plenipotentiaries insisted very vigorously and long that they should be restor'd, yet) they shall remain lost, and confiscated for the Benefit of those who at present possess them; nothing being to be prescrib'd to his Imperial Majesty in this matter, nor otherwise transacted, because of the constant Contradiction of the Imperialists; and the States not having judg'd it for the Service of the Emperor to continue the War upon that score only.

52. However the Goods which have been taken from them afterwards, for having taken up Arms for *Sweden* or *France*, against the Emperor and the House of *Austria*, shall be restor'd to them in the same Condition they are at present; yet without any Reparation for the Fruits consum'd, and the Expences and Damages occasion'd.

53. For the rest, if Creditors or their Heirs professing the *Augsburg* Religion, Subjects of the Kingdom of *Bohemia*, or of any other of the Emperor's Hereditary Provinces, commence a Suit upon private Pretensions, supposing them to have any, Right and Justice shall be done them as well as to the Roman Catholics.

54. Nevertheless, from this general Restitution shall be excepted such things as cannot be restor'd or represented, such as Movables, Things Personal, Fruits consum'd, Things destroy'd by Authority of the Parties engag'd in War, as also publick and private, sacred and profane Edifices, which have either been thrown down,

or converted to other Uses for the publick Safety; as well as publick and private Pledges, which, upon a prospect of Hostility, have either been confiscated or legally sold, or voluntarily given away.

55. And forasmuch as the Affair concerning the Succession of *Juliers* might for the future excite great Troubles among the interested, if they were not prevented; it is therefore agreed, That it shall be terminated without delay after the Peace is concluded, either by an ordinary Procedure before his Imperial Majesty, or by an amicable Accommodation, or by some other legal Method.

Point of Ecclesiastical Grievances, or of Religion.

V. Now whereas the Grievances of the one and the other Religion, which were debated amongst the Electors, Princes and States of the Empire, have been partly the Cause and Occasion of the present

War, it has been agreed and transacted in the following manner.

Confirmation of the Pacification of Passau, and that of Religion.

1. That the Transaction settled at *Passau* in the Year 1552. and follow'd in the Year 1555. with the Peace of Religion, according as it was confirm'd in the Year 1556. at *Augsburg*, and afterwards in divers other Diets of the sacred *Roman Empire*, in all its Points and Articles agreed and concluded by the unanimous Consent of the Emperor and Electors, Princes and States of both Religions, shall be maintain'd in its Force and Vigour, and sacredly and inviolably observ'd. But those things that are appointed by this Treaty with Consent of both Parties, touching certain Articles in the said Transaction which are troublesome and litigious, shall be look'd upon to have been observ'd in Judgment and otherwise, as a perpetual Declaration of the said Pacification, until the Matter of Religion can, by the Grace of God, be agreed upon, and that without stopping short for the Contradiction and Protestation of any one whatsoever, Ecclesiastical or Secular, either within or without the Empire, in any time whatsoever: all which Oppositions are by virtue of these Presents declar'd null and void. And as to all other things, That there be an exact and reciprocal Equality amongst all the Electors, Princes and States of both Religions, conformably

formably to the State of the Commonweal, the Constitutions of the Empire, and the present Convention: so that what is just of one side shall be so of the other, all Violence and Force between the two Parties being for ever prohibited.

2. That the Term from which Restitution in Ecclesiastical Affairs is to begin, as also in the Changes in Politicks with regard to them, be the first Day of *January 1624.* and that therefore the Re-establishment of all the Electors, Princes and States of both Religions, the free Nobility of the Empire, as also the Communities and Towns holding immediately of the Emperor, do fully and without restriction commence from that day: And that for that effect all Decrees, Sentences and Arrests pass'd, all Transactions, Conventions or Capitulations, either at discretion or otherwise made, and all Executions done in such sort of Affairs, remain null and void, and the whole reduc'd to the state they were in the Day and Year aforesaid.

3. The Cities of *Augsburg, Duncelspiel, Biberach* and *Ravensburg* shall retain the *Augsburg.* Goods, Rights, and Exercise of Religion, which they had the said Day and Year. But with regard to the Dignities of Senators, and other publick Offices, the number of them shall be equal and alike in both Religions. Particularly for the City of *Augsburg*, there shall be elected out of Patrician Families seven Senators of the Privy Council, and out of these two Presidents of the Republick, who are commonly call'd *Stattpfleger*, one of whom shall be a Catholick, and the other of the Confession of *Augsburg*; of the other five, three shall be Catholicks, and two of the foresaid Confession. The other Counsellors of the lesser Senate, as they call it, and the Syndicks, Assessors of the City Justice, and all other Officers shall be equal in number in both Religions. As to the Receivers of the publick Mony, they shall be three; two of whom shall be of the same Religion, and the third of the other: but so that for the first Year two shall be Catholicks, and one of the Confession of *Augsburg*; and the following Year, two shall be of the said Confession, and the third a Catholick; and so alternately every Year. The Intendants of the Arsenal shall also be three, with the like annual Alternative.

The same shall be observ'd as to those who have the care of Subsidies, Provisions, and publick Buildings and Edifices, and others whose Office is in the hands of three Persons: so that if one Year two Offices, such as those of Receiver and Intendant of Provisions and Building, are fill'd by two Catholicks and one of the Confession of *Augsburg*; the same Year, two other Offices, such as those of the Intendant of the Arsenal, and Receiver of the Subsidies, shall be administer'd by two of the Confession of *Augsburg*, and one Catholick; and the following Year, two of the Confession of *Augsburg* shall be substituted in the room of two Roman Catholicks in the said respective Offices, or one of the said Confession in the room of one Roman Catholick.

4. The Places which were wont to be in the hands of one Person only for one or more Years, according to the Quality of the Affair, shall be administer'd by turns among the Catholick Burgessees, and those of the Confession of *Augsburg*, in the same manner as has been determin'd with relation to Offices committed to three Persons. Nevertheless, the Care of their Churches and Schools shall be reserv'd to each of the Parties. As to the Catholicks who are in the Magistracy or any other Office at this time of the present Pacification, over and above the number agreed upon, they shall fully and entirely enjoy the Honour and Advantage they were possess'd of before; but then they must keep at home, till their Places become vacant by Death, or by their laying down; or if they will assist in Council, they shall have no Vote.

5. Neither of the two Parties shall abuse the Power of the Adherents to their Religion, to destroy the other. Nor shall they prefer directly or indirectly a greater number of their Party to the Dignities of Presidents and Senators, or other publick Posts: but every thing of this nature that shall be done at any time or in any manner, shall be null and void. For which reason, not only the present Regulation shall be publicly read every Year, at the Election of new Senators and Officers in place of those deceas'd; but likewise the Election of a President or Magistrate of the Privy Council, and other Senators, Prefects, Syndicks, Judges, and other Catholick Officers, shall at present and for the future belong to the

the Catholicks, and that of the Adherents to the Confession of *Augsburg* shall belong to them; and a Catholick shall be put in the place of a deceas'd Catholick; and in like manner, one of the Confession of *Augsburg* in the place of one of the said Confession deceas'd. The Plurality of Voices shall not bear sway in any manner directly or indirectly in matters of Religion, nor shall it prejudice the Burgeses of the Confession of *Augsburg* in that City, nor the Electors, Princes and States of the same Confession in the *Roman* Empire. And if the Catholicks abuse the Plurality of Voices to the prejudice of those of the Confession of *Augsburg*, in those Affairs or in any other; it shall be lawful for these last, by virtue of the present Transaction, to have recourse to the Alternative of a fifth Senator of the Privy Council, or to other lawful Remedies.

6. Moreover the Peace of Religion, and the Order of *Charles V.* touching the Election of Magistrates, as also the Transactions of the Years 1584, and 1591. shall remain intire and inviolable, in so far as they are not repugnant directly or indirectly to this Regulation.

7. That from henceforth there shall be at *Dunkelspiel*, *Biberach*, and *Ravensburg*, two Consuls, call'd Burgomasters, the one *Dunkelspiel*, a Catholick, and the other of the Confession of *Augsburg*; four Counsellors of the *Biberach*, and *Ravensburg*. secret Council in an equal number of the one and the other Religion. The same Equality shall be also observ'd in their Senate, their Courts of Justice, and in the Superintendancy of the Treasury and publick Mony, as well as in other publick Offices, Dignities, and Posts: And as to the Offices of Judg-Pretor, the Syndick, and Secretaries of the Senate of Justice, and other such Posts, which are confer'd only upon one Person, the same Alternative shall be perpetually observ'd, so that one of the *Augsburg* Confession shall succeed to one Catholick deceas'd, and a Catholick to one of the said Confession deceas'd. As to the Manner of Election, and the Plurality of Suffrages, the Care of Churches and Schools, and the annual reading of this Regulation, the same thing shall be observ'd that has been said with regard to the City of *Augsburg*.

8. As to what concerns the Town of *Donawert*. *Donawert*, if the States of the Empire in the next General Dyet judg that it ought to be re-establish'd in its antient Liberty, it shall enjoy the same Rights as to Ecclesiasticals and Temporals, which the other Towns of the Empire enjoy, by virtue of the present Transaction; saving nevertheless the Rights of those in that Town which belong to them.

9. The Term of the Year 1624. shall not in any wise prejudice those who shall be re-establish'd upon the foot of the Amnesty or otherwise.

10. As to the Goods Ecclesiastical immediate, whether Archbishopricks, Bishopricks, Prelatures, Abbeys, Bailliages, Provostships, Commendams, or other free Secular Foundations, with their Revenues,

Goods Ecclesiastical immediate.

Rents, and all other things by what names soever they may go, situated without or within Towns; the Catholick States, or those of the Confession of *Augsburg*, who possess'd them the first Day of *January* 1624. shall possess them all, without any exception, peaceably and without trouble, till we are agreed (which God grant we may be) upon the Controversies which regard Religion: nor shall it be lawful for either of the Parties to disquiet or disturb the other by Law-Suits or otherwise, nor occasion any Trouble or Hindrance. And in case the Differences of Religion cannot be amicably agreed (which God forbid) the present Convention shall have the Weight of a perpetual Law, and the Peace shall last for ever.

11. If then a Catholick Archbishop, Bishop, or Prelate, or one of the Confession of *Augsburg*, chosen or requir'd to be an Archbishop, Bishop, or Prelate, should happen to change his Religion, alone or conjointly with his Prebendaries and Canons, whether one or more, or all together; and in like manner, if any other Ecclesiasticks should change their Religion for the future, they shall immediately forfeit their Right, yet without lessening their Honour or Reputation; and shall without any Delay or Opposition whatsoever clear their hands of the Fruits and Revenues. And the Chapter, or any other to whom it appertains, shall have a right to elect or require another Person of the same Religion, to which
this

this Benefit is due by virtue of the present Transaction; however without recovering the Fruits and Revenues which the Archbishop, Bishop or Prelate, &c. changing Religion, shall have receiv'd and consum'd in the mean time. If then any States of the Catholick Religion, or of the *Augsburg* Confession, have been depriv'd by a Process at Law, or otherwise, of their Archbishopricks, Bishopricks, Benefices or Prebendships immediate, or have in any wise been troubled therein since the 1st day of *January* of the year 1624. they shall be resettled in them, by virtue of these Presents, as well in Spirituals as Temporals, with the Abolition of all Innovations; so that all Ecclesiastical Goods immediate, administer'd the 1st day of *January*, 1624. by a Catholick Prelate, shall again have a Catholick Head: And reciprocally the Goods which those of the Confession of *Augsburg* possess'd the said Year and Day, shall from henceforth be retain'd by them, with return by them of all the Fruits receiv'd during that time, and Expences, Damages and Interests that the one Party claim'd against the other.

12. In all Archbishopricks, Bishopricks, and other immediate Foundations, the right of Election and standing for Preferment shall remain according to the Customs and Statutes of every Place, without any Alteration, in so far as they are conformable to the Constitutions of the Empire, at the Transaction of *Passau*, the Pacification of Religion, and especially at the present Declaration and Transaction. And with regard to the Archbishopricks and Bishopricks which shall remain to those of the Confession of *Augsburg*, the said Rights shall contain nothing that is contrary to that same Confession; and the same shall obtain and be observ'd where the Rights are mix'd between the Catholicks and those of the said Confession.

13. Nothing shall be added of new to the antient Statutes, that may wound the Conscience, or hurt the Cause of the Catholicks, or of those of the *Augsburg* Confession, or diminish their Rights; but such as stand for Preferment, or such as are chosen, shall promise in their Capitulations, not to possess in any manner, by hereditary Right, the Ecclesiastical Principalities, Benefices and Dignities which they shall have accepted, nor do any thing that may render them hereditary; so that as well the

the Election and standing for Preferment, as the Administration and Regiment of Episcopal Rights, during the Vacancy of the See, shall in all Places remain free to the Chapters, and those to whom they likewise belong in conjunction with the Chapter, according to the establish'd Usage. Care shall likewise be taken that the Nobility, Graduates and others, who are capable, be not excluded, but rather supported, when it is not contrary to the Foundations.

The Right of first Prayers. 14. That in the Places where his Imperial Majesty has always exercis'd the Right of first Prayers, he shall likewise exercise it for the future; provided that one of the Confession of *Augsburg* coming to die in the Bishopricks of the said Religion, one of that Confession, who shall be found capable according to the Statute, have the Right of the said Prayers; but in Bishopricks, and other immediate mix'd Places of both Religions, he that is presented shall not have a Right to the first Prayers, unless a Person of the same Religion possess'd the vacant Benefice.

15. That if under the name of Annats, Rights of the Cloke, Confirmation, the Pope's Months, and such like Rights and Reserves, any thing whatsoever should be pretended, in any manner whatsoever, upon the immediate Ecclesiastical Goods of the States of the Confession of *Augsburg*, the Prosecution and Execution thereof may not be supported by the Secular Arm.

16. But in the Chapters of those immediate Ecclesiastical Goods, where the Prebends and Canons of both Religions are admitted by virtue of the foresaid Term, in an equal number of both sides, and where the Pope's Months are already in use, they shall take place, and shall have their Execution upon occasion, if the Prebends and Canons deceas'd have been of the prescrib'd number of Catholics; provided that the Provision of the Pope be signify'd and advis'd immediately by the Court of *Rome*, to the Chapters, and in due and legal time.

Investiture of Prelates of the Confession of Augsburg by the Emperor. 17. Such as are chosen, or stand for Archbishopricks, Bishopricks or Prelacies of the Confession of *Augsburg*, shall be invested by his Sacred Imperial Majesty, without any Exception, if in the year of their Election and Standing they shall have paid Fidelity

lity and Homage, and taken the usual Oaths for the Royal Fiefs, and paid besides the ordinary Tax, and a Moiety of the said Tax for Infeudation; and then they, or, when the See is vacant, the Chapters, or those to whom in conjunction with them the Administration of right belongs, shall be call'd by ordinary Letters to the General Diets, and the particular Assemblies of Deputations, Visitations, Revisals and others, and shall have there the Right of Suffrage, according as those Rights belong'd to each State before the rise of those Dissensions upon the account of Religion. And as to what concerns the Quality and Number of Persons to be sent to the Assemblies, the Prelates shall be at liberty to settle that with their Chapters and Communities. As to the Titles of the Ecclesiastical Princes of the *Augsburg* Confession, it is agreed thus, That they shall bear the Quality of Archbishops, Bishops, Abbots, Prevots elected or standing, without prejudice however to the State and Dignity; but they shall take their Seat in the middle and cross Form, between the Ecclesiasticks and Seculars; at whose side, in the Assembly of all the three Colleges of the Empire, shall be set the Director of the Chancery of *Mentz*, exercising the general Direction of the Acts of the Diet in the name of the Archbishop of *Mentz*; and after him, the Directors of the College of the Princes. And the same thing shall be observ'd in the Senate of Princes, collegiately assembled by the sole Directors of the Acts of the College.

18. There shall be for ever as many Prebends or Canons, whether of the *Augsburg* Confession, or Roman Catholicks, as there were of both Religions any where the 1st day of *January*, 1624. and when any of them comes to die, none but those of the same Religion shall be put in their place. If there be more of the Catholick Prebends or Canons, or of the *Augsburg* Confession possessing Benefices any where, than there were the 1st day of *January*, 1624. those supernumerary Prebends shall keep their Places as long as they live; but after their Death those of the *Augsburg* Confession shall succeed to the Catholicks, and the Catholicks to them, until the number of Prebends and Canons be brought to the same State it was the 1st day of the year 1624. And as to the exercise of Religion,

*The Parity of
Prebends.*

398 *Treaty of Munster, 1648.*

gion, it shall be re-establish'd, and remain in the mix'd Bishopricks, as it was publickly receiv'd and allow'd in the year 1624. And no Derogation shall be made from any of those things above-specify'd, either in electing, or in presenting, or otherwise.

Changes of Ecclesiastical Foundations. 19. The Archbishopricks and Bishopricks, and other immediate or mediate Foundations and Ecclesiastical Goods, granted for the satisfaction of her Royal Majesty and the Kingdom of *Sweden*, and for the Compensation and equivalent Indemnity of her Confederates, Friends and Allies, shall remain entirely and exactly in the Terms of the Conventions and particular Clauses inserted hereafter; but in all other things not contain'd therein, and particularly with relation to the Section concerning *Diocesan Rights*, &c. after-mention'd, they shall remain subject to the Constitutions of the Empire, and to this Transaction.

Regulation touching Ecclesiastical Goods. 20. The Monasteries, Colleges, Baillia- ges, Commendams, Churches, Foundations, Schools, Hospitals, and other mediate Ecclesiastical Goods, as well as the Revenues and Rights, call'd by whatsoever name, which the Electors, Princes and States of the Confession of *Augsburg*, possess'd the 1st day of *January* in the year 1624. shall be all and singular possess'd by the same (whether they are already restor'd, or are to be restor'd by virtue of this present Transaction) until the Differences in Religion be terminated by a general amicable Accommodation; and that notwithstanding all Exceptions and Allegations, that all those Goods were reform'd or occupy'd before or after the Transaction of *Passau*, or the Peace of Religion, or that they were cut off from the Territory of the States of the Confession of *Augsburg*, or engag'd to other States by Right of Suffrage, Deaconship, or any other whatsoever; the only and sole Foundation of this Transaction, Restitution and Regulation for the future, being the Possession which every one had the 1st day of *January*, 1624. entirely annulling all Exceptions and Defences that may be drawn from the Exercise introduc'd into any Place by *Interim*, or from any anterior or posterior Compacts, general or special Transactions, Processes commenc'd or judg'd,

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Mandamus's,

aus's, Preatis's, Letters of Reverſion, Cauſes de-
or generally from any other Reaſons or Pre-
whatſoever. In like manner, whatſoever has been
or cut off (in any place) of the ſaid Goods, their
enances and Fruits, from the States of the Con-
of *Augsburg* ſince that time, in any manner, or
ny pretext whatſoever, either by Law or other-
he whole ſhall be fully and entirely reſettled in its
State, without Delay or Diſtinction; and among
t, eſpecially the Monaſteries, Foundations and Ec-
cal Goods which the Prince of *Wirtemberg* poſ-
ally and indeed the 1ſt day of *January*, 1624.
eir Revenues, Appurtenances and Dependencies,
tever part they are ſituated, together with all
tles and Documents that have been alienated. So
oſe of the Confeſſion of *Augsburg* may be in the
on of what they have had or recover'd, without
liable to any legal Suit or Execution for ever, un-
Conteſts about Religion ſhall have been termi-

The Catholicks ſhall likewiſe poſſeſs all the me-
naſteries, Foundations and Colleges, which they
and actually poſſeſs'd the 1ſt day of *January*,
altho they be ſituated in the Territories and Do-
of the States of the Confeſſion of *Augsburg*;
er thoſe Goods ſhall in no wiſe paſs to other Or-
Religious, but ſhall remain and continue in that
to which they were firſt devoted, unleſs the Or-
ſuch Religious ſhould be entirely extinc't: For in
aſe the Magiſtrate of the Catholicks ſhall be at
to ſubſtitute Religious of another Order, in uſe
many before the Diſſenſions about Religion. In all
onaſteries, Collegiate Churches, Mediate Hoſpi-
where Catholicks and thoſe of the Confeſſion of
urg were wont to live without diſtinction, they
tom henceforth live there in the ſame number that
the 1ſt of *January*, 1624. and the Exerciſe of Re-
ſhall remain the ſame that it was in any Place
ever the ſaid Year and Day, without Moleſtation
ſediment from the one ſide or the other. In all
diate Foundations, where his Imperial Majeſty ex-
the Right of firſt Prayers the 1ſt of *January*,
he ſhall exerciſe the ſame for the future, in the
manner.

manner above explain'd, for immediate Goods. And as to the Pope's Months, the same Order shall be observ'd as was settl'd above; the Archbishops, and those to whom the like Rights belong, shall also confer the Benefices of the extraordinary Months. And if those of the Confession of *Augsburg* had possess'd, the said Day and Year, really and totally, or in Partnership with the Catholics, the Rights of Presentation, Visitation, Inspection, Confirmation, Correction, Protestation, Hospitality, Services and Averrages in those sort of Ecclesiastical mediate Goods, and maintain'd Curates and other Officers therein, they shall have the same Rights for the future. And tho' the Elections for vacant Prebendries should not be made in the due time and manner, in favour of the Persons of the same Religion that the deceas'd Person was of, yet the Distribution and Collation thereof shall appertain to those of the same Religion by Right of Devolution; provided nevertheless, that no prejudice be done therein to the Custom of the Catholick Religion in those Ecclesiastical mediate Goods, and that the Rights belonging to the Ecclesiastical Magistrate of the Catholics, by the Institution of the Order concerning the said Ecclesiasticks, be preserv'd to him entirely, and without any Change. And even tho' the Elections and Collations to the vacant Prebendries should not be made in due time, yet the Right of Devolution shall remain whole and entire.

22. And as to the Imperial Engagements (forasmuch as it is found that it has been settl'd in the Imperial Capitulation, that the chosen Emperor of the *Romans* is oblig'd to confirm these same Engagements to the Electors, Princes and other immediate States of the Empire, and to secure and preserve to them the quiet and peaceable possession thereof) it is agreed, That that Regulation shall be observ'd till it shall be otherwise ordain'd, by the Consent of the Electors, Princes and States; and for that reason the Imperial Engagements which were taken away from the City of *Landau*, and that of *Weissenberg*, shall be fully and entirely restor'd to them presently, upon paying the principal Sum. Nevertheless, as to the Goods which the States of the Empire have bound under the Title of Engagements to one another time immemorial, there shall be no other Method of Disengagement, but

but the Exceptions of the Possessors, and the Merit of the Causes sufficiently examin'd. And if the like Goods have been occupy'd during this War by any one, without a previous Cognizance of the Cause, or without paying the principal Sum, they shall be intirely restor'd immediately to the first Occupants with the Titles; and if Disengagement should be obtain'd by Sentence, and pass for a thing already judg'd, so that Restitution thereof should follow after payment of the Principal, the *Dominus directus* shall have full liberty publickly to introduce into those sort of ingag'd Lands, which shall have been restor'd to him, the Exercise of his own Religion. Nevertheless the Inhabitants and Subjects shall not be constrain'd to quit the said Lands, or the Religion which they embrac'd under the preceding Possessor of such ingag'd Lands; but they and the *Dominus directus*, who shall have obtain'd the Disengagement, shall treat about the publick Exercise of Religion.

23. With regard to the free Nobility, *The free Nobility* who hold immediately of the Empire, and *lity.* all and singular their Members, with their Subjects, and feudal and allodial Goods and Possessions (if it be not found that they are subject in some Places to other States upon the account of certain Goods, and for a Territory or Dwelling-Place) they shall by virtue of the Peace of Religion, and of the present Convention, have the same Right in matters of Religion, and in the Advantages arising from thence, with the Electors, Princes and States of the Empire; nor shall they be hinder'd or troubled therein more than they, upon any pretence whatsoever, and all such who have been molested, shall be entirely restor'd.

24. The free Towns of the Empire, according as they are all and every one of them, without Contest, contain'd under the name of the States of the Empire, shall have in their Territories, with regard to their Inhabitants and Subjects, the same Rights which other higher States of the Empire have, as well with relation to the Right of reforming, as in other Matters concerning Religion, not only in the Peace of Religion, and the present Pacification, but also in every other respect; and even those among them, where only one Religion ob-

Free Cities and Towns of the Empire.

tain'd in the year 1624. shall have the same Rights : So that every thing that has been regulated and agreed concerning those in general, shall be held as said and understood of these ; notwithstanding that some Catholick Burgeses dwell in the Towns where the Magistrate and the Burgeses have introduc'd no other Religion but that of the Confession of *Augsburg*, according to the Custom and Statutes of each place ; and even tho the Exercise of the Catholick Religion be in vigour in certain Chapters, Monasteries, Collegiate Churches or Cloisters there situated, depending mediately or immediately upon the Empire, and in the same State it was the 1st of *January*, 1624. in which they, with the Clergy who have not been introduc'd since that Term, and with the Catholick Burgeses which were there at that time, shall be intirely left for the future both actively and passively. And first of all the Imperial Cities, who have embrac'd only one Religion, or who profess both, and among them especially the City of *Augsburg*, as also *Dunkelspiel*, *Biberach*, *Ravensburg* and *Kauffbeur*, which since the year 1624. have been molested, either by Law-Suits or otherwise, in any manner whatsoever upon account of Religion ; and because of the Ecclesiastical Goods which they occupy'd and reform'd before or after the Transaction of *Passau*, or the Pacification of Religion which follow'd thereupon, shall be as fully establish'd in the same State which they were in the 1st of *January*, 1624. both as to Spiritualls and Temporals, as the other higher States of the Empire. In which State they shall be preserv'd without any trouble, as the others who at that time possess'd them, or who have since that time recover'd the Possession of them, and that until the amicable Accommodation of Religion shall be obtain'd. It shall not be lawful for either of the Parties to molest or trouble one another in the Exercise of Religion, or in the Ceremonies and Usages of their Churches ; but the Burgeses shall live peaceably together, and behave themselves discreetly towards one another, and have in all Places the free Exercise of their Religion and Goods ; all things judg'd and transacted, or lying before the Tribunals of Justice, and other Sentences given out in the 2d and 20th Paragraphs remaining null : saving nevertheless, those things which have been regulated by the second Paragraph, touching the Civil Affairs

Affairs of *Augsburg, Duncelspiel, Biberach* and *Ravenburg.*

25. As to what concerns the Counts, Barons, Nobles, Vassals, Towns, Foundations, Monasteries, Commendams, Communities and Subjects, holding of the States depend- *Counts, Barons and Knights, &c.*

ing immediately upon the Empire, Ecclesiastical or Secular (as it belongs to those States holding immediately of the Empire to have the Right of reforming Religion, together with the Right of the Territory and Superiority, according to the common Practice hitherto in use thro the whole Empire; and it having been formerly agreed in the Peace of Religion, that the Subjects of such States, as were not of the Religion of the Lord of the Territory, might have leave to change their Habitation) it was moreover ordain'd, in order to preserve a more perfect Concord among the States, That no Person should entice to his Religion the Subjects of others, nor receive them into Safeguard and Protection on that account, or support them in any manner whatsoever. It is also agreed, that the same thing shall be observ'd by the States of the one and the other Religion, and that no immediate State shall be troubled in the Right which belongs to it, by reason of any Superiority it may have in matters of Religion; yet notwithstanding this, the Vassals and Subjects of the Catholick State, that have had the publick or private Exercise of the Religion of the Confession of *Augsburg* in 1624. any part of the year, either by a certain Agreement and Privilege, or by long Usage, or in fine by the sole Observance of the said Religion only for that year, shall retain the same for the future, with all the Appurtenances and Dependencies thereof, according as they have or can prove they have practis'd the said Year.

26. By such Appurtenances are understood the Con-
fistories and Ministers, as well of Schools as of Churches,
the Right of Patronage, and other such like Rights, in
the possession whereof they shall remain, as well as in
that of all the Temples, Foundations, Monasteries, Hos-
pitals, and all their Appurtenances, Revenues and Aug-
mentations, which were in their Power at that time;
all which things shall be observ'd for ever and in all Places,
till it shall be otherwise agreed with relation to the

Christian Religion, whether in general, or among the immediate States and their Subjects by mutual Consent; so that no Person may be molested by any one whatsoever, nor in any way or manner whatsoever; but on the contrary, that such as have been molested, or in any manner depriv'd of their Right, may be simply and fully restor'd to the State wherein they were in the year 1624, without any exception. The same thing shall be observ'd with regard to the Catholick Subjects, who are in the States of the Confession of *Augsburg*, where they had the publick or private Use and Exercise of the Catholick Religion in the year 1624.

27. The Compacts, Transactions, Conventions or Concessions which have been
Of Compacts, formerly made, or which have been agreed
 &c. and pass'd betwixt the immediate States of

the Empire, and their Provincial States and Subjects above-mention'd, for introducing, allowing or preserving the publick or private Exercise of Religion, shall remain in their Force and Vigour, in so far as they are not contrary to the Observance and Usage of the year 1624. and no Departure therefrom shall be allow'd but by mutual Consent, notwithstanding all Sentences, Reversals, Agreements and Transactions, contrary to the said Usage and Observance of the year 1624. which shall remain null and void, this being laid down as a Rule; and particularly that which the Bishop of *Hildesheim*, and the Dukes of *Brunswick Lunenburg* transacted and stipulated by certain Compacts in the year 1624. touching the Religion of the States, and Subjects of the Bishoprick of *Hildesheim*, and the Exercise thereof. But the nine Monasteries, situated in the Bishoprick of *Hildesheim*, which the Dukes of *Brunswick* yielded to them the same year upon certain Conditions, shall be excepted from the said Term, and reserv'd to the Catholicks.

28. It has moreover been found good,
Liberty of Con- that those of the Confession of *Augsburg*,
science. who are Subjects of the Catholicks, and

the Catholick Subjects of the States of the Confession of *Augsburg*, who had not the publick or private Exercise of their Religion in any time of the year 1624. and who after the Publication of the Peace shall profess and embrace a Religion different from that of the

Lord

Lord of the Territory, shall in consequence of the said Peace be patiently suffer'd and tolerated, without any Hindrance or Impediment to attend their Devotions in their Houses and in private, with all Liberty of Conscience, and without any Inquisition or Trouble, and even to assist in their Neighbourhood, as often as they have a mind, at the publick Exercise of their Religion, or send their Children to foreign Schools of their Religion, or have them instructed in their Families by private Masters; provided the said Vassals and Subjects do their Duty in all other things, and hold themselves in due Obedience and Subjection, without giving occasion to any Disturbance or Commotion. In like manner Subjects, whether they be Catholicks, or of the Confession of *Augsburg*, shall not be despis'd any where upon account of their Religion, nor excluded from the Community of Merchants, Artizans or Companies, nor depriv'd of Successions, Legacies, Hospitals, Lazar-Houses, or Alms-Houses, and other Privileges or Rights, and far less of Church-yards, and the Honour of Burial; nor shall any more be exacted of them for the Expence of their Funerals, than the Dues usually paid for Burying-Places in Parish-Churches: so that in these and all other the like things they shall be treated in the same manner as Brethren and Sisters, with equal Justice and Protection.

29. That if any Subject, who had not the publick or private Exercise of his Religion in the year 1624. or who, after the Publication of the Peace, shall have a mind to change his Religion, or be willing to change his Abode, or be order'd by the Lord of the Mannor to remove, he shall be at liberty to do it, to keep or sell his Goods, and have them administer'd by his Relations, to visit them with all Freedom, and without any Letters of Passport, and to prosecute his Affairs, and make payment of his Debts, as often as shall be requisite.

30. It has likewise been agreed, that the Lord of the Territory shall allow a space of time, not less than five years, for his Subjects to remove, who had not the publick or private Exercise of their Religion in the said year, and who at the time of the Publication of the said Peace shall have their Abode in the immediate States of the one or the other Religion; among whom shall also be comprehended those, who in order to avoid the Mis-

ties of War, and not out of an Inclination to change their Habitation, have retir'd any where, and have a mind after the Peace to return to their own Country. And as for those who shall change their Religion after the Publication of the Peace, there shall be a Term allow'd them, not less than three years, to withdraw themselves and remove, if they cannot obtain a longer ; and whether they remove voluntarily, or by Constraint, Certificates of their Birth, Parentage, Freedom, Trade and Morals shall be granted them without difficulty or scruple ; nor shall they be oppress'd with unusual Reversals, or Decimation of the Goods they shall carry away with them, above what is just and equitable ; and far less shall any Stop or Hindrance be made, upon pretext of Servitude, or any other whatsoever, to those who shall remove voluntarily.

31. The Princes of *Silesia*, who are of the Confession of *Augsburg*, viz. the *The Protestant Princes and Towns of Silesia.* Dukes of *Brieg, Lignits, Munsterberg and Oels*, as also the City of *Breslaw*, shall be maintain'd in the Rights and Privileges which they obtain'd before the War, as well as in the free Exercise of their Religion, which was granted them by the Imperial and Royal Grace. And as to what concerns the Counts, Barons, Nobles and their Subjects in the other Dutchies of *Silesia*, who depend immediately upon the Royal Chamber, as also the Counts, Barons and Nobles who live at present in the lower *Austria*, altho the Right of reforming the Exercise of Religion no less belongs to his Imperial Majesty than to other Kings and Princes, he consents (not however because of the Agreement made according to the Regulation of the preceding Article, but in consideration of the Mediation of her Royal Majesty of *Sweden*, and in favour of the interceding States of the Confession of *Augsburg*) that these Counts, Barons, Nobles, and their Subjects in the said Dutchies of *Silesia*, shall not be oblig'd to depart from their Abodes, nor quit the Goods which they possess, upon the account of their embracing the *Augsburg* Confession, nor be hinder'd to frequent the Exercise of the foresaid Religion in the neighbouring Parts without their own Territory ; provided that in other things they do not disturb the publick Peace and Tranquillity, and behave

themselves as they ought towards their Sovereign. And if in the mean while any should think fit to give voluntarily, and would not or could not contently put out their immovable Goods to farm, they have all liberty to go and return, to look to and to their said Goods.

Besides what is order'd and settled above with respect to the said Dutchies of *Silesia*, which depend immediately on the Royal Chamber, his Imperial Majesty further promises to allow those of the Confession of *Augsburg* in the said Dutchies to build for the Exercise of their said Religion, at their own proper Charges, three Churches without the Towns of *Schweinitz*, *Jaur*, and *...*, near the Walls, and in convenient places, which were appointed for that effect by his Majesty's Order, at the Conclusion of the Peace. And forasmuch as a Liberty of the Exercise of Religion has been sometimes endeavour'd to be agreed during the present Negotiation in the said Dutchies, and the other Kingdom and Provinces belonging to his said Imperial Majesty and the House of *Austria*, and that nevertheless it could not be obtain'd because of the Opposition made by the Imperial Plenipotentiaries: Her Royal Majesty of *Spain*, and the States of the Confession of *Augsburg*, have promised to themselves, and to every one of them in particular, the liberty of mediating amicably, and interfering humbly for that effect with his Imperial Majesty next Dyet and elsewhere; the Peace always subsisting notwithstanding, and all Violence and Force remaining illegal and forbidden.

The Right of Reforming shall not depend upon the sole Quality of the feudal Right of Reforming. Law, whether of the Kingdom of *Bohemia*, or of the Electors, Princes, States of the Empire, or of any other Places. The Fiefs and Arrier-Fiefs, Vassals, Subjects, and Ecclesiastical Goods, and all that the Lord of the Fief has to do in Matters of Religion, or has introduc'd into, or claim'd of right thereto, shall be for ever preserved according to the state they were in the first of *January 1624* and whatsoever shall have been introduc'd to the contrary either in a legal way or otherwise shall be suppress'd and reduc'd to its first state.

33. That if there was any Contest about the Right to a Territory before or after the Term of the Year 1624, that Right shall remain to him who was Possessor of it that Year, till the Affair has been brought under Deliberation, and Sentence given concerning the Possessor and Petitioner; which is to be understood as to the publick Exercise of that Right. But the Subjects shall not be constrain'd to leave their Country during the Process or Suit about the Territory, upon the account of the Change of Religion which may have happen'd in the mean while.

34. In the places where the Catholick States and those of the Confession of *Augsburg* equally enjoy the Right of Superiority, the same Right shall remain as well with respect to the publick Exercise, as of other things that concern Religion, in the same state they were in the foresaid Year and Day. The sole Jurisdiction in criminal Matters, the sole Right of the Sword, that of Retention of Causes, of Patronage, of Filiation, shall neither jointly nor separately give a Right to reform; and therefore the Reformations which have been introduc'd under that colour, or by any other Compacts, shall be null and void, the Lezed shall be restor'd, and all such things for the future shall cease.

35. With regard to all sorts of Revenues appertaining to Ecclesiastical Goods and the Possessors thereof, the same thing shall be observ'd as was ordain'd in the Peace of Religion, at the Paragraph, *In like manner the States of the Confession of Augsburg, &c.* and at the Paragraph, *As also to the States which have formerly, &c.* But the Revenues, Quit-Rents, Tithes, Rents, which by virtue of the said Peace of Religion are due to the States of the *Augsburg* Confession upon the account of the Ecclesiastical Foundations immediate or mediate, acquir'd before or after the Religious Peace from the Catholicks, and whereof those of the said Confession have been in possession, or *quasi* in possession, the first Day of *January* in the Year 1624. shall be paid them without any Exception.

36. In like manner, if the States of the Confession of *Augsburg* have possess'd by Custom or legal Concession any Rights of Protection, Advocacy, Overture, Hospitality,

ality, Average, or any others, in the Domains and Goods of Catholick Ecclesiasticks, situated either within or without the Territories; and likewise if any such Right belong to the Catholick States within or without the Ecclesiastical Possessions acquir'd by the States of the Confession of *Augsburg*, they shall all *bona fide* keep possession of those Rights they have enjoy'd, but so that the Revenues of Ecclesiastical Goods be not too much burden'd or exhausted.

37. The Revenues, Tithes, Quit-Rents and Rents, which are due by other Territories to the States of the Confession of *Augsburg*, for the Foundations that are at present ruin'd and demolish'd, shall likewise be paid to those who were in possession, or *quasi* in possession of them, the first of *January* 1624.

38. And as to the Foundations which since the Year 1624, have been destroy'd, or which shall become ruinous for the future, the Revenues thereof shall be paid, even in the other Territories, to the Lord of the Monastery that is destroy'd, or of the Place where the Monastery was situated.

39. In like manner, the Foundations which had a Right or a *quasi* Right to the Tithes of Church-Lands in another Territory, shall also have the same for the future; but no new Right shall be demanded. Amongst the other States and Subjects of the Empire, the Right of Tithes of Church-Lands shall be such as common Law, or the Custom, or Usage of every place ordains, or according as has been agreed by voluntary Stipulations.

40. Diocesan Right, and all Ecclesiastical Jurisdiction of whatever kind, shall remain in suspense, until the final Accommodation of Religious Differences, as to the Electors, Princes and States of the Confession of *Augsburg*, the free Nobility of the Empire, and their Subjects, as well amongst the Catholicks and those of the Confession of *Augsburg*, as among the States of the *Augsburg* Confession only; and the Diocesan Right, and the Ecclesiastical Jurisdiction shall be reform'd within the Bounds of each Territory. However, in order to obtain the Payment of the Revenues, Quit-Rents, Tithes and Rents which shall be due to the Catholicks out of the Domains of the States of the Con-

*Suspension of
Ecclesiastical
Jurisdiction.*

cession

cession of *Augsburg*, where the Catholicks were notwithstanding Tels'd or *quasi* possess'd of the Exercise of the Ecclesiastical Jurisdiction, the said Catholicks shall from henceforth likewise enjoy the said Jurisdiction; but this shall go no further than exacting and demanding the said Revenues: and they shall proceed to no Excommunication, but after a third Summons. The Provincial States and Subjects of the Confession of *Augsburg*, who in the Year 1624. acknowledg'd the Ecclesiastical Jurisdiction of the Catholicks, shall in like manner remain subject to the foresaid Jurisdiction in Cases which do not concern the Confession of *Augsburg*; and provided they be not enjoin'd, on occasion of Law-Suits, any thing contrary to the said Confession of *Augsburg*, or to Conscience. The Magistrates of the Confession of *Augsburg* shall also have the same Right over their Catholick Subjects, who in the Year 1624. enjoy'd the publick Exercise of the Catholick Religion, saving the Diöcesan Right, as the Bishops exercis'd it peaceably over them in the Year 1624. but in the Towns of the Empire where the Exercise of both Religions is in use, the Bishops shall have no Jurisdiction over the Burgeesses of the Confession of *Augsburg*; however the Catholicks shall in justice claim the Right which they had in the said Year 1624.

41. The Magistrates of the one and the other Religion shall severely forbid any Person to impugn in any place, in publick or in private, by preaching, teaching, disputing, writing or consulting, the Transaction of *Passau*, the Peace of Religion, and, above all, the present Declaration or Transaction; or to render them doubtful, or endeavour to draw from them Consequences or Propositions contrary to the Intentions and Meaning of them: and whatsoever has been already produc'd or publish'd to the contrary, shall be null. But if any doubt should arise from thence or from any other thing, or if any of the Matters which concern the Peace of Religion or this Transaction should result from thence, the whole shall be regulated in an amicable way, in the Dyets or other Assemblies of the Empire, by the chief Persons of the one and the other Religion.

42. In the ordinary Assemblies of the Deputies of the Empire, the Number of the Chiefs of the one and the other

other Religion shall be equal : and as to the Persons or Estates of the Empire that must be added to them, that shall be regulated in the next Dyet. If there come into these Assemblies Deputies, as well as they come to the general Dyets, whether from one, two, or three Colleges of the Empire, upon any account or matter whatsoever, the Number of the Deputies of the Heads of the one and the other Religion shall be equal. And if there be Officers to be dispatch'd in the Empire by extraordinary Commissions, if the matter relates only to the States of the Confession of *Augsburg*, none but those of that Religion shall be deputed : but if the Affair only regards the Catholicks, none but Catholicks shall be deputed. And if the matter concerns both the Catholick States, and those of the Confession of *Augsburg*, Commissioners shall be nominated and appointed in an equal number out of the one and the other Religion. It has likewise been found good, That the Commissioners report the Affairs done by them, and give their Suffrages thereto ; but that they finish nothing by Form of Sentence.

43. In matters of Religion, and in all other Affairs, wherein the States cannot be consider'd as one Body, and when the Catholick States and those of the Confession of *Augsburg* are divided into two Parties ; the Difference shall be decided in an amicable way only, without any side's being tied down by a Plurality of Voices. However, as to what concerns the Plurality of Voices in the matter of Impositions, that Affair not being capable of being decided in the present Assembly, it shall be remitted to the next Dyet.

44. Moreover, whereas upon the account of the Changes that have happen'd thro
the present War, and upon other accounts, *The Imperial Chamber.*
many things have been alledg'd for transferring the Tribunal of the Imperial Chamber to some other more convenient place for all the States of the Empire, and also for presenting the Judg, Presidents, Assessors, and other Officers of Justice, in an equal number out of both Religions, and likewise for regulating other Affairs appertaining to the said Imperial Chamber, which cannot be entirely dispatch'd in the present Assembly, because of the Importance of the Case, it is agreed, That they shall be treated of in the next Dyet, and that the
Deli-

Deliberations touching the Reformation of Justice, agitated in the Assembly of the Deputies at *Frankfort*, shall have their effect ; and that if any thing shall appear to be wanting, the same shall be supply'd and amended. In the mean time, to the end that this Affair may not remain altogether in an uncertainty, it is mutually agreed, That besides the Judge and the four Presidents (whereof two of those who are to be of the *Augsburg* Confession shall be establish'd by his Imperial Majesty alone) the Number of Assessors of the Chamber shall be increas'd to fifty in all ; so that the Catholicks may, and shall be oblig'd to present twenty six Assessors, including therein the two Assessors, the presenting of whom is reserv'd to the Emperor, and the States of the Confession of *Augsburg* twenty four : and that it shall be lawful to take and chuse out of each Circle of a mixt Religion, two Catholicks and two of the Confession of *Augsburg* ; the other Matters which regard the said Chamber, having been remitted, as is said, to the next Dyet. Wherefore the Circles shall be exhorted to present in time the new Assessors, who shall be substituted in the foresaid Chamber in the room of those deceas'd, according to the Table inserted at the end of the next Paragraph. The Catholicks shall also agree in time about the Order of their presenting ; and his Imperial Majesty shall appoint, that not only in this Chamber the Ecclesiastical and Political Affairs, debated betwixt the Catholicks and the States of the Confession of *Augsburg*, or between these last only, or when Catholicks plead against Catholick States, a Third intervening shall be of the Confession of *Augsburg*, and reciprocally when those of the Confession of *Augsburg* shall plead against others of the same Confession, a Catholick State shall intervene, and shall discuss and judge the matter by calling in Assessors, chosen in an equal number out of both Religions ; but that the same thing shall also be observ'd in the Aulick Chamber : and for that end, his said Majesty shall chuse out of Circles of the *Augsburg* Confession only, or jointly with those of the Catholick Religion, certain Subjects of the Confession of *Augsburg* learned and conversant in the Affairs of the Empire, however in such number, that upon occasion there may be an Equality of Judges of both Religions. The same thing shall also be observ'd with relation to the Equality

uality of Assessors, as often as an immediate State of
: Confession of *Augsburg* shall be cited by a mediate
tholick State, or as an immediate Catholick State shall
cited by a mediate State of the Confession of *Augs-*

8.

45. As to the judiciary Procedure, the Regulation of
: Imperial Chamber shall also be observ'd in the Aulick
amber in every respect. Then to the end that the
pellants may not be destitute of all Assistance by way
Suspension, instead of the Revival us'd in that Cham-
; it shall be lawful for the wrong'd Party to appeal to

Imperial Majesty from the Sentence given by the
uncil, that so the Proceſs may be review'd a-new, by
ier Counsellors in an equal number out of both Reli-
ions, capable of judging where the stress of the matter
s, not ally'd to any of the Parties, and who have not
in concern'd in drawing up or pronouncing the former
ntence, or at least who have not been the Judges that
orted the Proceſs or Cause. And it shall be lawful for
Imperial Majesty, in matters of consequence, and
m which some Disorder in the Empire might be fear'd,
ask the Advice and Suffrage of some Electors and
inces of both Religions. The visiting of the Aulick Coun-
by the Elector of *Mentz*, shall be as often as shall be ne-
ſary, observing what shall be judg'd fit and proper to be
serv'd in the next Dyet by the common Consent of the
ites. But if any Doubts occur touching the Interpre-
tion of the Imperial Constitutions, and the publick Re-
ſes, or if in Judgments of Ecclesiastical and Political
uses debated between the Parties afore-mention'd, after
ir having been examin'd in open Court by a number

Judges always equal on both sides, there should arise
ntrary Opinions from the Parity of the Assessors of
: one and the other Religion, the Catholick Assessors
lding for one side, and those of the Confession of
Augsburg for the other; in that case they shall be re-
tted to a general Dyet of the Empire. But if two or
ore Catholicks, with one or two Assessors of the Con-
ſion of *Augsburg*, should reciprocally embrace one
inion, and the rest in equal Number, altho unequal in
ligion, should maintain another, and from thence a
fference should arise, in that case the matter shall be
minated by the Order of the Chamber, and no Refer-

rence

rence thereof shall be made to a Dyet. All which things shall be observ'd in the Causes and Processes of the States, including therein the immediate Nobility of the Empire, whether they be Defendants or Interveners. But if among the mediate States the Appellant or Defendant, or a Third intervening be of the Confession of *Augsburg*, and demand a Parity of Judges from among the Assessors of the one and the other Religion, that Parity shall be granted; and if an Equality of Voices happens then, no Reference thereof shall be made to the Dyet, but the Process shall be terminated according to the Order of the Chamber. For the rest, the Privilege of the first Instance, and the Rights and Privileges of not appealing, shall be entirely left to the States of the Empire, as well in the Aulick Council, as in the Imperial Chamber; and they shall not be molested or vex'd in them, either by a Mandamus, or by Commissions or Evocations, or any other way. In fine, as mention has likewise been made of abolishing the Imperial Court of *Rotweil*, and the Provincial Courts of *Swabia*, and others establish'd in several places in the Empire; the matter having been thought very important, the Deliberation thereof has also been remitted to the next Dyet.

The Assessors of the Confession of *Augsburg* shall be presented,

By the Elector of <i>Saxony</i>	}	Six.
By the Elector of <i>Brandenburg</i>		
By the Elector <i>Palatine</i>		
By the Upper Circle of <i>Saxony</i> 4.	}	One from these two Circles by turns.
By the Lower Circle of <i>Saxony</i> 4.		
By the States of the Circle of <i>Franconia</i> of the Confession of <i>Augsburg</i> 2.	}	One from these four Circles by turns.
By those of the Circle of <i>Swabia</i> 2.		
By the States of the Circle of the <i>Upper</i> <i>Rhine</i> 2.		
By the Circle of <i>Westphalia</i> 2.		

And altho no mention be made in this Table of the States of the Empire of the Confession of *Augsburg*, which are comprehended under the Circle of *Bavaria*, yet that shall not turn to their prejudice; but their Rights, Liberties and Privileges shall remain in their entire State.

VI. And

VI. And whereas his Imperial Majesty, upon the Complaints made in presence of *Of the Swiss* his Plenipotentiaries and Deputies in the *Cantons.* present Assembly, in the name of the City of *Bazil* and of all *Switzerland*, touching certain Procedures and executory Orders, issu'd from the Imperial Chamber against the said City, the other united *Swiss* Cantons, and their Citizens and Subjects, having ask'd the Counsel and Advice of the States of the Empire, did, by a particular Decree of the 14th of *May* last past, declare the said City of *Bazil*, and the other *Swiss* Cantons to be in possession of a *quasi* full Liberty and Exemption from the Empire, and so no way subject to the Tribunals and Sentences of the said Empire; it has been resolv'd that this same Decree shall be held as included in this Treaty of Peace, that it shall remain firm and lasting, and that therefore all those Procedures and Arrests executed upon this occasion in any Form whatsoever, ought to be of no validity or effect.

VII. It has likewise been thought good, by the unanimous Consent of his Imperial Majesty, and all the Estates of the Empire, That the same Right or Advantage which all the other Imperial Constitutions, the Peace of Religion, this present Transaction, and the Decision of Grievances therein contain'd, grant to the Catholick States and Subjects, and to those of the Confession of *Augsburg*, ought also to be granted to those who call themselves the Reform'd; saving nevertheless for ever the Compacts, reversal Privileges, and other Regulations which the States that call themselves Protestants have stipulated among themselves, and with their Subjects, whereby care has hitherto been taken of the States and Subjects of every place, as to Religion and the Exercise thereof, and the things that depend thereupon, saving also the Liberty of Conscience of every one. And forasmuch as the Differences in Religion which are between Protestants have not been yet terminated, being reserv'd for a future Accommodation; and whereas for that reason they form two Parties, it has therefore been agreed betwixt both Parties, touching the Right of Reformation, That if any Prince, or other Lord of a Territory, or Patron of any Church, should afterwards go over to the Religion of another Party, or acquire or recover by
Right

Right of Succession, or by virtue of the present Transaction, or by any other Title, a Principality or Dominion where the Religion of another Party is publickly exercis'd at present, it shall be lawful for him without controversy to have near himself, and at his abode or place of Residence, private Preachers of his own Religion for his Court ; but so that this may be no Charge or Prejudice to his Subjects : But it shall not be lawful to change the Exercise of Religion, or the Ecclesiastical Laws and Customs which shall have been receiv'd formerly, nor to take the Churches, Schools, Hospitals, or the Revenues, Pensions and Salaries thereto belonging, from the first Possessors, and confer them upon those of his own Religion ; and far less to oblige his Subjects under pretext of the Right of the Territory, Episcopal Right, that of Patronage, or any other, to receive Ministers of another Religion, or give any trouble or molestation to the Religion of others directly or indirectly. And to the end this Convention may be observ'd the more exactly, it shall be lawful, in case of such Change, for the Communities themselves to present, or if they have not the Right of Presentation, to name able Ministers both for the Schools and the Churches, who shall be examin'd and ordain'd by the Consistory and the publick Ministers of the Place, if they be of the same Religion with the Communities that shall present or name them : And failing this, they shall be examin'd and ordain'd where the Community shall please, and afterwards confirm'd by the Prince or Lord, without any Denial. However, if any Community, in case of such Change, having embrac'd the Religion of their Lord, should ask and demand the same Exercise of Religion with their Prince or Lord, at their own expence ; it shall be lawful for the said Prince or Lord to grant it them, without prejudice to others, and so that his Successors cannot take it away. But as to the Members of the Consistory, the Visitors for Sacred Matters, the Professors of Schools, and Universities of Theology and Philosophy, they may not be of any other Religion but that which shall be publickly profess'd in every respective place. And forasmuch as all those things are to be understood of a Change happening for the future, they shall not in any wise prejudice the Rights which in that respect belong to the Princes of

Anhalt

Anhalt and other Princes. But besides these Religions, no other shall be receiv'd or tolerated in the Sacred Roman Empire.

VIII. And in order to prevent for the future all Differences in the Political State, all and every the Electors, Princes, and States of the *Roman* Empire shall be so establish'd and confirm'd in their antient Rights, Prerogatives, Liberties, Privileges, free Exercise of their Territorial Right, as well in Spirituals and Temporals, Seigneuries, Regalian Rights, and in the possession of all these things, by virtue of the present Transaction, that they may not be molested at any time in any manner, under any pretext whatsoever.

The Re-establishment of the Estates of the Empire to their antient Rights.

1. That they enjoy without contradiction the Right of Suffrage in all Deliberations touching the Affairs of the Empire, especially in the matter of interpreting Laws, resolving upon a War, imposing Taxes, ordering Levies and quartering of Soldiers, building for the publick Use new Fortresses in the Lands of the States, and reinforcing old Garisons, making of Peace and Alliances, and treating of other such-like Affairs; so that none of those or the like things shall be done or receiv'd afterwards, without the Advice and Consent of a free Assembly of all the States of the Empire: That, above all, each of the Estates of the Empire shall freely and for ever enjoy the Right of making Alliances among themselves, or with Foreigners, for the Preservation and Security of every one of them: provided nevertheless that these Alliances be neither against the Emperor nor the Empire, nor the publick Peace, nor against this Transaction especially; and that they be made without prejudice in every respect to the Oath whereby every one of them is bound to the Emperor and the Empire.

2. That the States of the Empire assemble within the space of six Months, counting from the Date of the Ratification of the Peace, and after that as often as the publick Interest and Necessity shall require; That in the first Dyet they correct especially the Faults of preceding Assemblies; and moreover, that they treat and regulate the Election of King of the *Romans*, the Imperial Capitation, which ought to be reduc'd to Terms that can-

not be chang'd, the Manner and Order that ought to be observ'd in putting one or more of the States under the Bann of the Empire, besides what has been formerly declar'd in the Imperial Constitutions; That they treat there also of the Re-establishment of the Circles, of the Renewal of the *Matricula*, of the means of inserting in it the Names of such as have been taken out, of moderating and lowering the Taxes of the Empire, of the Reformation of the Policy, and Law of the Fees that are paid to the Imperial Chamber, of the best manner of forming and instructing the ordinary Deputies according to the Necessity and Advantage of the Commonwealth, of the true Business and Duty of the Directors of the Colleges of the Empire, and of other such-like Affairs which cannot be specify'd here.

3. That the free Towns of the Empire have a decisive Voice in the general and particular Dyets, as well as the other States of the Empire; and that their Regalian Rights, annual Revenues, the Liberties and Privileges of Confiscation, and imposing of Duties, may not be touch'd or meddled with, nor any thing that depends thereupon, nor any other Rights which they have legally obtain'd of the Emperor and the Empire, or which they have possess'd and exercis'd by a long Usage before these Troubles, with an entire Jurisdiction within the Inclosure of their Walls and Territories; whatsoever has been hitherto done or attempted to the contrary by Reprisals, Arrests, stopping up of Passages, and other prejudicial Acts, by private Authority during the War, upon any pretext whatsoever, or which may afterwards be done or executed without any pretended Formality of Law, remaining for that effect void and null, and forbidden for the future. For the rest, all the laudable Customs, Constitutions, and fundamental Laws of the Empire, shall for the future be strictly kept and observ'd, and all the Confusions and Disorders that have crept in during the War, shall be remov'd.

4. As to an equitable and proper Method, whereby legal Actions against Debtors ruin'd by the Calamities of War, or burden'd with too great Interests, may be terminated with moderation, to obviate greater Inconveniences which might arise from thence, and which might endanger the publick Tranquillity; his Imperial Majesty shall take
care

care to have and collect the Advices and Opinions of the Aulick Council, as well as of the Imperial Chamber, to the end they may be propos'd in the next Dyet, and that a certain Constitution may be form'd thereupon. That in the mean while, in Causes of this nature, which shall be carry'd to the superior Tribunals of the Empire, or the particular Tribunals of the States, the Reasons and Circumstances that shall be alledg'd by the Parties be weigh'd, and that none be hurt by immoderate Executions; but all this without prejudice to the Constitution of *Holstein*.

IX. And forasmuch as it imports the Publick, that, after the Conclusion of the Peace, Commerce and Trade should flourish again every where; it is agreed for that end, That the Duties and Taxes, as also the Abuses of the Bull of *Brabant*, and the Reprisals and Arrests following thereupon, with the foreign Certificates, Exactions, Imprisonments and Detentions, the excessive Charge of Postage, and all other unusual Expences and Hindrances of Commerce and Navigation, which have been of late introduc'd to the prejudice thereof, and against the publick Interest up and down the Empire, on occasion of the War, by a private Authority, contrary to all Rights and Privileges, without the Consent of the Emperor and the Electors of the Empire, shall be entirely taken away: so that the antient Security, Jurisdiction, and Custom, which have obtain'd long before these Wars, shall be re-establish'd and inviolably preserv'd to the Provinces, Ports and Rivers of the Empire.

Re-establishment of Commerce.

The Rights and Privileges of Territories water'd by Rivers or otherwise, as also the Tolls granted by the Emperor with the Consent of the Electors, among the rest to the Count of *Oldenburg* upon the *Weser*, or establish'd by long Custom, remaining in their full Vigour and Execution; there shall be an entire Liberty and Freedom of Commerce, and a free and safe Passage thro all Places by Sea and Land: and therefore it shall be lawful for all and every the Vassals, Subjects, Inhabitants and Servants of the Allies of both sides to go and come, negotiate and return; and this shall be understood to be granted by virtue of these Presents, in the same manner

that it was lawful to do so on all sides before the Troubles of *Germany*. And the Magistrates of both sides shall be bound to protect and defend them against all sort of Oppression or Violence, like the Natives of those Places, without prejudice to the other Articles of this Convention, and the particular Law and Rights of each Place.

X. Next, the most Serene Queen of *Sweden* having demanded Satisfaction to be made her for the Restitution which she is oblig'd to make of the Places by her occu-

py'd during this War, and that lawful means might be provided for re-establishing publick Peace in the Empire; his Imperial Majesty for that effect, with the Consent of the Electors, Princes, and States of the Empire, and particularly of those concern'd, yields to the said most Serene Queen, her Heirs and Successors, by virtue of the present Transaction, the following Provinces, in full Right and perpetual and immediate Fief of the Empire.

1. All the hither *Pomerania*, commonly call'd *Vor-Pomeran*, together with the Isle of *Rugen*, included in the Limits wherein they were bounded under the last Dukes of *Pomerania*. Besides, in further *Pomerania*, the Towns of *Stetin*, *Gartz*, *Dam*, *Golnau*, and the Isle of *Wolin*, with the River *Oder*, and the Arm of the Sea commonly call'd the *Frischchauff*. Likewise the three Mouths of *Peine*, *Swine*, and *Divenow*, and the adjacent Land on both sides, beginning at the Royal Territory, and reaching to the *Baltick* Sea, in such an Extent on the Eastern Bank, as shall be amicably agreed betwixt the Royal and Electoral Commissioners, who shall be nam'd for the more exact Regulation of the Limits and the other Particulars.

Her Majesty and the Kingdom of *Sweden* shall hold and possess from henceforth and for ever, in hereditary Fief, the said Dutchy of *Pomerania*, and the Principality of *Rugen*, and shall enjoy and make use of them freely and inviolably, together with the Domains and Places annex'd, and all the Territories, Bailliages, Towns, Castles, Burghs, Villages, Hamlets, Fiefs, Rivers, Isles, Lakes, Banks, Ports, Roads, antient Tolls and Revenues, and all other Goods whatsoever Ecclesiastical and Secular; as also the Titles, Dignities, Immunities, Preeminencies and Prerogatives, and all the other Rights
and

and Privileges, Ecclesiastical and Secular, in the same manner that the former Dukes of *Pomerania* had, possess'd, and govern'd them.

Her Royal Majesty and the Kingdom of *Sweden* shall also have for the future for ever all the Right which the Dukes of hither *Pomerania* had in the Collation of the Dignities and Prebendaries of the Chapter of *Camin*, with power to extinguish them, and incorporate them into the Ducal Domain after the Death of the present Prebends: but as to what of these belong'd to the Dukes of further *Pomerania*, that shall remain to the Elector of *Brandenburg*, with the entire Bishoprick of *Camin*, its Lands, Duties and Dignities, as shall be more amply explain'd afterwards.

The Royal Family of *Sweden*, and the Electoral Family of *Brandenburg*, shall use the Titles, Dignities and Arms of *Pomerania*, without any distinction, as the former Dukes of *Pomerania* us'd them; the Royal Family for ever, and that of *Brandenburg* so long as there shall remain any Descendants of the Male Line: but yet the Family of *Brandenburg* must not lay any claim to the Principality of *Rugen*, nor to any other Right upon the Places yielded to the Crown of *Sweden*.

But the Male Line of the Family of *Brandenburg* coming to fail, all others except *Sweden* shall abstain from taking the Titles and Arms of *Pomerania*; and then also the whole further *Pomerania*, together with the hither *Pomerania*, and the whole Bishoprick, and entire Chapter of *Camin*, together with all the Rights and Dependencies of the former Possessors that shall be united thereto, shall for ever belong to the Kings and Crown of *Sweden* only, who in the mean time shall enjoy the Benefits of an apparent Succession and simultaneous Investiture, so that they shall be oblig'd to give the accustomed Assurance to the States and Subjects of the said Places for the Performance of Homage. The Elector of *Brandenburg*, and all others concern'd, discharge the States, Officers and Subjects of all the said Places of the Tyes and Oaths by which they have hitherto been engag'd to him and those of his Family, and remit them for the future to pay their Homage and Services in the accustomed manner to her Majesty and the Crown of *Sweden*. And thus they constitute, for that effect, the Crown of *Sweden* in

full Power and Possession of the things abovesaid, renouncing from henceforth and for ever all the Pretensions which they had thereto; which they will here confirm for them and their Descendants by a particular Act.

2. The Emperor, with the Consent of the whole Empire, yields also to the most Serene Queen, and her Heirs and Successors, and to the Kingdom of *Sweden*, in perpetual and immediate Fief of the Empire, the Town and Port of *Wismar*, with the Port of *Walfisch*, as also the Bailliage of *Poel* (except the Villages of *Schedorf*, *Weidendorf*, *Brandenburg*, and *Wangern*, belonging to the Hospitals of the Holy Ghost in *Lubeck*) and that of *Newencloster*, with all their Rights and Appurtenances, in the same manner that the Dukes of *Mecklenburg* have possess'd them to this day; so that all the said Places, the entire Port, and the Land of both sides, from the Town to the *Baltick* Sea, shall remain at the free disposal of her Majesty, to be fortify'd and strengthen'd with Garisons according to her good pleasure, and the Exigency of Circumstances (but at her own Charges) that so she may always have there a safe Retreat for her Ships and Fleet: besides, she may enjoy and use the same with the like Right that belongs to her in her other Fiefs of the Empire; saving nevertheless the Privileges and Commerce of the Town of *Wismar*; which will be more and more increas'd by the Royal Protection and Favour of the Kings of *Sweden*.

3. The Emperor, with Consent of the whole Empire, likewise yields, by virtue of the present Transaction, to the most Serene Queen, and her Heirs and Successors being Kings, and to the Crown of *Sweden*, in Fief perpetual and immediate of the Empire, the Archbishoprick of *Bremen*, and Bishoprick of *Werden*, with the Town and Bailliage of *Wilshusen*, and the whole Right that did belong to the late Archbishops of *Bremen* over the Chapter and Diocess of *Hamburg*: saving however to the House of *Holstein*, as well as to the City and Chapter of *Hamburg* respectively, their Rights, Privileges, Liberties, Compacts, Possessions, and present State in all things; so that the fourteen Villages of the Baillies of *Tritou* and *Rheinbeck* in *Holstein* shall remain for ever to *Frederick* Duke of *Holstein-Gottorp* and his Posterity, instead of a present annual Revenue: and the said Archbishoprick,

bishoprick, Bishoprick, and Bailliages, shall be for ever in the possession of the said Crown, with all the Rights Ecclesiastical and Secular thereto belonging, what name soever they go by, in whatever place they be situated, in the Sea or on Land, with the usual Arms, however under the Title of a Dutchy: The Chapters and other Ecclesiastical Colleges remaining for the future depriv'd of the Right of Election or Presentation, and of all other Right, Administration, or Government of Lands belonging to those Dutchies.

The Town of *Bremen*, its Territory and Subjects shall be left without any Trouble or Hindrance in their present State, Freedoms, Rights and Privileges, in Ecclesiastical and Political Matters. And if they should chance to have any Contests with the Bishoprick or Dutchy, or with the Chapters, they shall be amicably terminated, or decided in a legal way; saving in the mean time to each of the Parties the Possession they are in at present.

4. The Emperor and the Empire do receive, upon the account of all the foresaid Provinces and Fiefs, for an immediate State of the Empire, the most Serene Queen and her Successors to the Crown of *Sweden*, so that the foresaid Queen and the said Kings shall from henceforth be call'd to the Imperial Dyets with the other States of the Empire, under the Title of Dukes of *Bremen*, *Werden*, and *Pomerania*, as well as under that of Princes of *Rugen*, and Lords of *Wismar*; and there shall be assign'd them a Seat in the Imperial Assemblies in the College of Princes upon the Bench of the Seculars in the fifth place, viz. for *Bremen*, in that same place and Order; but for that of *Werden* and *Pomerania*, the Places shall be regulated according to the antient Order of the former Predecessors. Moreover, in the Circle of the Upper *Saxony*, immediately before the Dukes of further *Pomerania*; and in the Circles of *Westphalia* and the Lower *Saxony*, in the ordinary place and manner: However, the Directorship of the Circle of the Lower *Saxony* shall be exercis'd by the Dukes or Archbishops of *Magdeburg* and *Bremen* alternately, without prejudice however to the contradictory Right of the Dukes of *Brunswick* and *Lunenbourg*. As to the Assemblies of the Deputies of the Empire, her Majesty of *Sweden* and his Electoral Highness of *Brandenburg* shall have their Deputies there in the accustomed

manner: But because there belongs but one Voice only to both the *Pomerania's*, it shall always be given by her Majesty, after having first communicated with the Elector of *Brandenburg*. In fine, the Emperor and the Empire yield and grant to the said Queen and the Crown of *Sweden*, in all and every their Fiefs, the Privilege of not appealing, provided she shall establish, in a commodious place in *Germany*, a Tribunal, or Instance of Appeal, where she will put Persons capable of administering to every one Right and Justice according to the Constitutions of the Empire, and the Statutes of each place, without Appeal, or Removal of Causes.

On the contrary, if it should fall out that the Kings of *Sweden*, as Dukes of *Bremen*, *Werden*, and *Pomerania*, and as Princes of *Rugen*, or Lords of *Wismar*, should legally appeal for any one, in a Cause concerning these Provinces; his Imperial Majesty leaves them at liberty to chuse what Tribunal they please, whether it be the Aulick Court or the Imperial Chamber, there to bring the Suit commenc'd. They shall however be oblig'd to declare in three months after the day of the Declaration of the Difference, what Court they will appeal to.

He likewise gives over to her Majesty of *Sweden*, the Right of erecting an Academy or University, where and when she shall think proper; and also grants to her, by perpetual Right, the modern Tolls, commonly call'd Licences, upon the Coasts and in the Ports of *Pomerania* and *Meckleburg*, provided they be reduc'd to so moderate a Tax, that Commerce may not thereby be interrupted in those parts. And finally, he discharges the States, Magistrates, Officers and Subjects of the said Provinces respectively from all Tyes and Oaths, whereby they have been hitherto engag'd to the preceding Lords, Possessors or Pretenders; and remits and obliges them to pay Subjection, Obedience and Fidelity to her Majesty and the Crown of *Sweden*, as being from this day the hereditary Owner of these Provinces: and thus constitutes *Sweden* in full and lawful Possession of all these things, promising upon his Imperial Word and Faith to give and yield not only to the Queen reigning at present, but also to all the future Kings, and the Crown of *Sweden*, all Security with relation to the said Provinces, Goods, and Rights yielded and granted, and to preserve and maintain them
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inviolably against all Persons whatsoever, in the peaceable possession of those Provinces, and to confirm the whole in the best Form, by particular Letters of Investiture.

The most Serene Queen, the future Kings, and the Crown of *Sweden*, shall reciprocally acknowledg, that they hold all and every the foresaid Fiefs of his Imperial Majesty and the Empire; and upon that score shall demand, as often as shall be requisite, the Renewal of the Investitures, taking the Oath of Fidelity, and all that is thereto annex'd, like the former Possessors, and like Vassals of the Empire.

For the rest, they shall confirm, in the accustomed manner (at the Renewal and Performance of Homage) to the States and Subjects of the said Provinces and Places, particularly those of *Stralsund*, their Liberty, Goods, Rights and Privileges, common and particular, lawfully obtain'd or acquir'd by long Usage, with the free Exercise of the Evangelick Religion, to be enjoy'd by them for ever, according to the pure and true Confession of *Augsburg*. They shall also preserve to the Hanseatick Towns, which are in those Provinces, the same Liberty and Freedom of Navigation and Commerce, which they ever had till the present War, as well in foreign Kingdoms, Republicks and Provinces, as in the Empire.

XI. In order to give an equivalent Compensation to the Lord *Frederick William*, Elector of *Brandenburg*, who, to advance the General Peace, gave up the Rights which he had upon the hither *Pomerania*, *Rugen*, and the Provinces and Places there-to annex'd; the Bishoprick of *Halberstadt*, with all its Rights, Privileges, Regalian Rights, Territories, and Goods Ecclesiastical and Secular, by whatever name they are call'd, without any exception, shall be yielded in perpetual and immediate Fief of the Empire by the Emperor, with Consent of the States of the Empire, and especially of those concern'd, after the Peace shall be concluded and ratify'd betwixt the two Crowns and the States of the Empire, to the said Elector and his Male Successors, Heirs and Cousins of the Father's side: among others to Marquiss *Christian William*, formerly Administrator of the Archbishoprick of *Magdeburg*; *Christian of Culmbach*, and *Albert of Onoltzbach*, and their Successors

Successors and Heirs Male; and that the foresaid Elector shall be presently put in the peaceable and real possession of that Bishoprick, and have on that score a Seat and Voice in the Imperial Dyets, and in the Circle of *Lower Saxony*. But he shall leave Religion and the Ecclesiastical Goods in the same state that they were regulated by the Archduke *Leopold William*, in the Convention made with the Chapter of the Cathedral: But so that notwithstanding that, the Bishoprick shall remain hereditary to the Elector and to his whole House, and to his Male Relations of the Father's side above-mention'd, their Successors and Heirs Male, in the order they ought to succeed to one another, without any Right remaining to the Chapter, in Election and Presentation, or in the Government of the Bishoprick, or any other thing thereunto appertaining; but the said Elector, and the rest according to the Order of succeeding, shall enjoy in that Bishoprick the same Right and Power which the other Princes of the Empire enjoy in their Territories; and it shall also be lawful for them to extinguish the fourth part of the Canonicates (except the Provostship, which shall not be included in that number) according as those of the Confession of *Augsburg*, who possess them at present, come to die, and to incorporate the Revenues thereof into the Episcopal Mannor. And if there should not be Canons enough of the Confession of *Augsburg* to make the fourth part of the whole Body, when the Provostship is excepted, it shall be supply'd out of the number of the Catholicks who shall come to die.

As also forasmuch as the County of *Hohenstein* (for that part of it which is a Fief of the Bishoprick of *Halberstadt*, consisting of the two Bailliages of *Lora* and *Kletenberg*, and of some other Burghs, with the Goods and Rights thereto appertaining) was reunited after the Death of the last Count of that Family, to that Bishoprick, and possess'd ever to this time by the Archduke *Leopold William*, as Bishop of *Halberstadt*; the said County shall also remain irrevocably united to that Bishoprick, with free liberty to the said Elector to dispose of it as hereditary Possessor of the Bishoprick of *Halberstadt*, notwithstanding all Contest, of what Force or Authority soever it be, or by whomsoever form'd.

The said Elector shall also be oblig'd to maintain the Count of *Tattenbach* in possession of the County of *Rheinstein*, and to renew the same Investiture which the Archduke confer'd upon him with Consent of the Chapter.

There shall also be yielded by his Imperial Majesty, with Consent of the States of the Empire, to the fore-said Elector, for him and his Successors above-mention'd in perpetual Fee, and in the same manner that the Bishoprick of *Halberstadt* was, the Bishoprick of *Minden*, with all its Rights and Appurtenances, for the said Elector and his Heirs and Successors, to be put in the real and peaceable possession thereof, immediately after the Conclusion and Ratification of the present Pacification, and on that score the said Elector shall have a Seat and Voice in the general and particular Dyets of the Empire, as well as in those of the Circle of *Westphalia*; saving to the City of *Minden* its Immunities and Rights, in things sacred and profane, and its entire and mix'd Jurisdiction in Criminal and Civil Causes; especially the Right of *Ban-Lieuë*, and the Exercise of that Jurisdiction granted, and, for the time being, accepted; as also the other Rights, Immunities and Privileges which lawfully appertain to it, according to antient Usage; on condition however, that the Hamlets, Villages and Houses which belong to the Prince, Chapter and the whole Clergy, and the Order of Knights, which are respectively situated in the Territory, and within the Walls of the City, shall be excepted; and for the rest, the Right of the Prince and of the Chapter shall remain inviolable.

In like manner the Bishoprick of *Camin* shall be yielded and given over by the Emperor and the Empire to the fore-said Elector and his Successors, with the same Rights and in the same manner as the Bishopricks of *Halberstadt* and *Minden* have been dispos'd of above; with this difference only, That in the Bishoprick of *Camin* the fore-said Elector shall be at liberty to extinguish all the Canonicates, after the death of the present Canons, and thus to add and incorporate in time the whole Bishoprick with further *Pomerania*.

The fore-said Elector shall in like manner have the Reversion of the Archbishoprick of *Magdeburg*, yet in such a manner, that when it shall become vacant, either by
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the Death of the present Administrator *Augustus* Duke of *Saxony*, or by the Administrators succeeding to the Electorate, or in fine, by any other means, the whole Archbishoprick, with all the Territories thereto appertaining, Regalian and other Rights, according to the manner of disposing of the Bishoprick of *Halberstadt* as above, shall be yielded and given in perpetual Fief to the foresaid Elector, and his Successors, Heirs and Cousins Male of the Father's side, notwithstanding all Election and Presentation which might be secretly or publicly made during that time; and he and they shall have Right to take the Possession of it, when vacant, by their own proper Authority.

In the mean time the Chapter, with the States and Subjects of the foresaid Archbishoprick, immediately after the Conclusion of the Peace, shall be bound to oblige themselves for the future by Oath, to pay Fidelity and Subjection to the foresaid Elector, to his whole Electoral House, and to his Successors, Heirs and Cousins Male by the Father's side.

His Imperial Majesty shall renew to the City of *Magdeburg*, at the Instance by it most humbly made to him, its antient Liberty and Privilege, granted to it by *Ordo* I. dated the 7th of *June*, 940. altho the same be lost thro the Injury of Time; as also the Privilege of fortifying it, granted by the Emperor *Ferdinand* II. which Privilege extends half a *German* League, with all Jurisdiction and Property; in like manner its other Privileges shall remain in their force and inviolable, as well with relation to Ecclesiasticals as Temporals, with a Clause inserted, importing, that Suburbs shall not be built in prejudice of the City.

X As to what concerns the four Bailliages or Prefectures of *Querfurt*, *Guttenberg*, *Darmstadt* and *Bork*, since they have been already yielded to the Elector of *Saxony*, they shall likewise remain in his Power, however with this Reserve, that the Elector of *Saxony* shall for the future contribute to the Collections of the Empire and of the Circle, the Quota which has been contributed until this day for the said Bailliages; and the Archbishoprick shall be discharg'd of it, and express mention thereof shall be made in the *Matricula* of the Empire, and of the Circle. And in order to repair in some measure the Diminution

nution of the Revenues belonging to the Chamber and Mannor of the Archbishop arising from thence, not only the Prefecture of *Eglen*, which formerly belong'd to the Chapter, is given and yielded to the Elector of *Brandenburg*, and his Successors, to possess the same, and enjoy the full Right thereof, immediately after the Conclusion of the Peace (and the Suits commenc'd on that score some years ago by the Counts of *Barby* remaining extinct and bury'd) but likewise when he shall have obtain'd the possession of the Archbishoprick, to extinguish the fourth part of the Canonicates of the Cathedral, when they shall become vacant by Death, and to apply the Revenues thereof to the Archiepiscopal Chamber.

The Debts formerly contracted by the present Administrator *Augustus* Duke of *Saxony*, shall not be clear'd out of the Revenues of the Archbishoprick, in case it be vacant or devolve, in the manner already specify'd, to the Elector of *Brandenburg*, and his Successors; nor shall it be allow'd to the Administrator to charge for the future the foresaid Archbishoprick with new Debts, Alienations and Engagements in prejudice of the Elector, and of his Successors and Relations Male.

The competent Rights and Privileges shall also be preserv'd to the States and Subjects of the foresaid Archbishoprick and Bishoprick, especially the Exercise of the Confession of *Augsburg*, as it is at present; and what has been transacted and agreed in the matter of Grievances, between the States of the Empire of the one and the other Religion, shall not be less regarded (in so far as they shall not be contrary to the Regulation above in the Vth Article of Grievances, §. 8. which begins, *The Archbishopsricks, Bishopricks, and other Ecclesiastical Goods, &c.* and ends with these words, *and to this Transaction.*) than if they were insert'd here word for word, and the foresaid Archbishopricks and Bishopricks shall belong to the Elector and the House of *Brandenburg*, and to his Successors and Heirs by the Father's side for ever, with hereditary and immutable Right, in the same manner that they have a Right over their other hereditary Lands. And as to what concerns the Title or Quality, it has been agreed, that the foresaid Elector, with the whole House of *Brandenburg*, and all and singular the Marquisses of *Brandenburg*, shall be call'd and qualify'd Dukes of *Magdeburg*.

deburg, and Princes of *Halberstadt* and *Minden*.

Her Majesty of *Sweden* shall also restore to the foresaid Elector, for him, his Successors, Heirs and Relations Male by the Father's side; in the first place the rest of the further *Pomerania*, with all its Appurtenances, Goods, Ecclesiastical and Secular Rights in full Property, as well for the *Dominium utile*, as for the *Dominium directum*.

In the second place, the City of *Colberg*, with the whole Bishoprick of *Camin*, and the whole Right which the Dukes of the further *Pomerania* formerly had in the Collation of Dignities and Prebendships of the Chapter of *Camin*; but so that the said Rights granted above to her Majesty of *Sweden*, shall entirely remain to her, and that the said Elector shall confirm and preserve, in the best manner possible, to the States and Subjects in the restor'd part of the further *Pomerania*, and in the Bishoprick of *Camin*, at the renewing and paying of Homage, their competent Liberty, and their Goods, Rights and Privileges, to enjoy them perpetually without any Trouble, according to the Tenor of the Reverfal Letters (which the States and Subjects of the said Bishoprick are likewise to enjoy, as if they had been directly granted to them) with the free Exercise of the Confession of *Augsburg*, in so far as it has not been chang'd.

In the third place, all the Places which are at present possess'd by the *Swedish* Garisons, upon the Borders of *Brandenburg*.

In the fourth place, all the Commanderies and Goods belonging to the Order of the Knights of *Sr. John*, situated without the Territories which were granted to her Majesty and the Crown of *Sweden*, together with the Acts, Registers, and other Documents and original Papers which concern those Places, and those Rights which are to be restor'd. And as to the common Papers which concern both the hither and further *Pomerania*, and which are either in the Archives or Chartularies of the Court of *Stetin*, or elsewhere, without or within *Pomerania*, Copies thereof shall be given in good and due Form.

XII. As to what concerns *Adolphus Frederick* Duke of *Meckleberg-Schwerin*, on account of the Alienation of the Town *Meckleberg*. and Port of *Wismar*, it has been agreed, that

that he shall have for him, and his Heirs Male, in perpetual and immediate Fee, the Bishopricks of *Schwerin* and *Ratzburg* (saving to the House of *Saxony Lunenburg*, and other Neighbours, as also to the said Diocese, the Right which regards them of both sides) with all the Rights, Documents, Titles, Archives, Registers, and other Appurtenances, and even the Power of extinguishing the Canonicates of the two Chapters, after the Decease of the present Canons, in order to apply all the Revenues thereof to the Ducal Mannor; and that he shall have on that score a Seat in the Assemblies of the Empire, and of the Circle of the *Lower Saxony*, with the double Title and Voice of a Prince. Now altho *Gustavus Adolphus* Duke of *Meckleburg*, Nephew to *Gustrow*, has been formerly design'd Administrator of *Ratzburg*; yet because the benefit of their being restor'd to their Dutchies does not regard the Nephew less than the Uncle, it has been found equitable, that the Uncle having yielded *Wismar*, the Nephew in his turn should yield that Bishoprick. But on the said Duke *Gustavus Adolphus*, for that reason, by way of Recompence, shall be confer'd two Benefices or Canonicates, of those that according to the present Accommodation of Grievances stand affected to such as profess the Confession of *Augsburg*, one in the Cathedral Church of *Magdeburg*, and the other in that of *Halberstadt*, of the first that shall become vacant.

As to what next regards the two Canonicates, which are claim'd in the Cathedral Church of *Strasburg*; if from that Quarter any thing should fall to the share of the States of the Confession of *Augsburg*, by virtue of this present Transaction, the Revenue of two Canonicates shall be given out of those sort of Incomes to the Family of the Dukes of *Meckleburg*, however without any prejudice to the Catholics. And if it should happen that the Male Branch of *Schwerin* should come to fail, while that of *Gustrow* subsists, then this last shall succeed to the other.

For the greater Satisfaction of the said House of *Meckleburg*, there shall be yielded to him for ever the two Commendams of the Order of Knighthood of *St. John of Jerusalem*, *Mirow* and *Nemeraw*, situated in that Dutchy, by virtue of the Disposition express'd in the Vth Article, §. 9. till the Contest and Differences about Religion in

the Empire shall have been accommodated, viz. *Mirow* to the Line of *Schwerin*, and *Nemeraw* to that of *Gustrow*, on this condition, that they shall be oblig'd to obtain themselves the Consent of the said Order, and pay to the same from thenceforth, as well as to the Elector of *Brandenburg*, as Patron thereof, the accustomed Services, as often as shall be necessary and requisite. His Imperial Majesty shall likewise confirm to the said House the Customs upon the *Elbe*, formerly obtain'd for ever; with Exemption from the Contributions which shall for the future be rais'd in the Empire, excepting what relates to the Satisfaction of the *Swedish* Militia, until the Sum of three hundred thousand Rixdollars shall have been satisfy'd for. The pretended Debt of *Wingerschin* shall also remain extinct, as contracted upon the account of the War, with the Processes and Decrees which have sprung from thence; so that the Dukes of *Meckleburg*, and the City of *Hamburg*, may not from henceforth be molested or disquieted upon that score.

XIII. The Ducal Family of *Brunswick* and *Lunenbourg*, having, in order the better to facilitate and establish the publick Peace, yielded the Coadjutories which it had obtain'd out of the Archbishopricks of *Magdeburg* and *Bremen*, and the Bishopricks of *Halberstadt* and *Ratzburg*, on condition, among other things, that to it should be granted the alternative Succession of the Bishoprick of *Osnabrug* with the Catholics: His Imperial Majesty, who does not think it proper, in the present State of Affairs in the Empire, any longer to neglect or retard the publick Peace upon that score, consents and permits that this alternative Succession to the Bishoprick of *Osnabrug* shall take place between Catholick Bishops and those of the Confession of *Augsburg*, who shall however be presented by the Family of the Dukes of *Brunswick* and *Lunenbourg*, so long as it subsists, and that in the manner, and on the Conditions following.

I. Forasmuch as *Gustavus Gustafson*, Count of *Wassenberg*, Senator of the Kingdom of *Sweden*, renounces all the Right which he had obtain'd, on occasion of the present War, over the Bishoprick of *Osnabrug*, and frees the

the States and Subjects of that Bishoprick from the Oath which they took to him: Therefore the Bishop *Francis William*, and his Successors, as also the Chapter, the States and Subjects of that Bishoprick, shall be oblig'd, by virtue of these Presents, to pay to the said Lord the Count, or his Order, in *Hamburg*, during the space of four years, the Sum of eighty thousand Rixdollars; so that they shall be oblig'd to pay to him or Order, in the City of *Hamburg*, twenty thousand Rixdollars each year: for the execution whereof, the publick Law of this Pacification shall give all Authority to all Acts given out against those that fail.

2. The said Bishoprick of *Osnabrug* shall be entirely restor'd, with all its Appurtenances, as well Secular as Ecclesiastical, to the foresaid Bishop *Francis William*, who shall possess it in full Right, according as shall be stipulated by the Clauses of the invariable and perpetual Capitulation which shall be made upon that account, by the common Consent as well of the said Prince *Francis William*, as of the Princes of the House of *Brunswick-Lunenburg*, and the Capitularies of the Bishoprick of *Osnabrug*.

3. As to what relates to the State of Religion, of Ecclesiasticks, as also the whole Clergy of the one and the other Religion, as well in the same City of *Osnabrug*, as in the other Countries, Towns, Burghs, Villages, and other Places belonging to that Bishoprick, the whole shall remain and be settled in the same State it was on the 1st of *January*, 1624. And there shall be a Specification of all the Changes that shall be found to have been made since the said year 1624 (as well with regard to the Ministers of the Word of God, as of the Divine Worship) which shall be inserted in the foresaid Capitulation. And the Bishop shall promise to his Estates and Subjects, by Reversal or other Letters (after having receiv'd their Homage according to antient Form) to preserve their Rights and Privileges, and all other things besides, which shall be found necessary for the future Administration of the Bishoprick, and the Safety of the States and Subjects of both sides.

4. The Bishop coming to die, *Ernest Augustus* Duke of *Brunswick and Lunenburg* shall succeed him in the Bishoprick of *Osnabrug*, and shall from henceforth be design'd

sign'd his Successor, by virtue of the present publick Peace; so that the Cathedral Chapter of *Osnabrug*, as also the States and Subjects of the Bishoprick shall be oblig'd, immediately after the Death or Resignation of the present Bishop, to receive for Bishop the said Duke *Ernest Augustus*; and for that end the foresaid States and Subjects shall be oblig'd within three months, reckoning from the day of the Conclusion of the Peace, to pay him the accustom'd Homage, in the manner above specify'd, upon the Conditions that shall be insert'd in the perpetual Capitulation that is to be made with the Chapter; and if Duke *Ernest Augustus* should not survive the present Bishop, the Chapter shall be bound, after the Death of the Bishop that now lives, to present another Prince of the Family of Duke *George* of *Brunswick* and *Lunenburg*, upon the Conditions that shall be contain'd in the unchangeable Capitulation that shall have been receiv'd, which shall be observ'd reciprocally and for ever. And if he should happen to die, or to resign voluntarily, the Chapter shall be oblig'd to chuse and present a Catholick Bishop; and if any neglect should happen among the Canons or Prebendaries, the Ordinance of the Canon Law, and the Custom of *Germany* shall take place in that case; saving however the perpetual Capitulation, and the present Transaction. Wherefore the alternative Succession between the Catholick Bishops, chosen by the Chapter, or otherwise presented, and those of the Confession of *Augsburg* (who shall only be the Descendants of the Family of the said Duke *George*) shall be admitted. And if there be several Princes of that Family, one of the younger Brothers shall be chosen and presented to that Bishoprick; and if the younger Brothers fail, one of the Princes Regent shall be chosen: and failing these also, the Posterity of Duke *Augustus* shall in fine succeed with the perpetual Alternative, as has been said, between that Family and the Catholicks.

5. Not only the said Duke *Ernest Augustus*, but likewise all and every one of the Princes of the Family of the Dukes of *Brunswick* and *Lunenburg*, of the Confession of *Augsburg*, who shall alternately succeed to that Bishoprick, shall be oblig'd to preserve and defend (as has been settled above in the 3d Article, and as it shall be further settled in the perpetual Capitulation) the State of Religion,

Religion, and of the Ecclesiasticks, as also of the whole Clergy, as well in the City of *Osnabrug*, as in the other Countries, Burghs, Hamlets, Villages and Towns, and all the other Places belonging to that Bishoprick.

6. And to the end that in the Administration and Government of the Bishops of the Confession of *Augsburg*, there may arise no Difficulty or Confusion with regard to the Censure of Catholick Ecclesiasticks, nor with relation to the Usage and Administration of the Sacraments, according to the manner of the Church of *Rome*, nor with respect to other things which concern Order; the whole Disposal and Regulation of all that is mention'd above shall be reserv'd to the Archbishop of *Cologne* as Metropolitan, excluding those of the Confession of *Augsburg* as often as the alternative Succession shall fall upon a Prince of that Confession: But this only excepted, the other Rights of Sovereignty and Government, as well in Civil as in Criminal Matters, shall remain inviolably to the Bishop of the foresaid Confession, according to the Laws and Rules of the future Capitulation; and reciprocally, as often as a Catholick Bishop shall govern in the Bishoprick of *Osnabrug*, he shall not pretend or have any Right over the Ecclesiasticks of the Confession of *Augsburg*.

7. That the Monastery or Provostship of *Walkenried*, whereof *Christian Lewis* Duke of *Brunswick* and *Lunenburg* is present Administrator, be confer'd by the Emperor and Empire, with the Land of *Schauven*, in perpetual Right of Fee, upon the Dukes of *Brunswick-Lunenburg*, together with all their Appurtenances and Rights, to be possess'd by the Families of *Brunswick-Lunenburg*, in the same Order as above; the Right of Advocacy or Protection, and all the Pretensions of the Bishoprick of *Halberstadt* and County of *Habenstein*, remaining entirely extinct and annul'd.

8. As to the Debt contracted by *Frederick Ulric* Duke of *Brunswick-Lunenburg* with the King of *Denmark*, and yielded by this last to his Imperial Majesty in a Treaty of Peace concluded at *Lubeck*, whereof a Gift was made to Count *Tilly*, General of the Imperial Army; the present Dukes of *Brunswick-Lunenburg* having represented, that for several Reasons they are not oblig'd to pay that Debt, and the Ambassadors and Plenipotentiaries of the Crown

of *Sweden* having on their part likewise acted very vigorously in that Affair, it has been agreed, for the Good of the Peace, that that Debt shall remain extinct, and that the said Dukes shall be freed from any Obligation in this matter, as well as their Heirs and Estates.

9. The Dukes of *Brunswick-Lunenbourg*, of the Branch of *Zell*, having hitherto paid the annual Interest of twenty thousand Florins to the Chapter of *Ratzburg*, it has been resolv'd, that as the Alternative ceases at present, so the said annual Interests shall cease likewise, with the entire sinking of the Debt, and all other Obligations on that score.

10. Two Prebendships in the Bishoprick of *Strasburg*, that shall become vacant first, shall be confer'd on the two Dukes, *Anthony Ulric*, and *Ferdinand Albert*, younger Sons of *Augustus* Duke of *Brunswick-Lunenbourg*, on condition that Duke *Augustus* shall renounce the Pretensions which he formerly had, or might have had upon the one or the other Canonicate.

11. And in exchange the said Dukes shall renounce the Presentations and Coadjutorships of the Archbishopricks of *Magdeburg* and *Bremen*, as also of the Bishopricks of *Halberstadt* and *Ratzburg*; so that whatever has been regulated above in this Treaty of Peace touching these Archbishopricks and Bishopricks, shall have its full and entire Effect, without any contradiction on their part; the Chapters remaining in every respect in the same State that has been agreed upon above.

XIV. As touching the Sum of twelve thousand Rixdollars, which ought to be annually paid to *William Christian* Marquiss of *Brandenburg*, by the Archbishoprick of *Magdeburg*, it has been agreed, That the Cloister and Bailliages of *Zima* and *Loenburg*, shall be immediately yielded and given over to the said Marquiss of *Brandenburg*, with all their Appurtenances, and full and entire Jurisdiction, excepting only the Right of Territory; and that the said Marquiss shall enjoy these Bailliages his whole Life, without being in any manner accountable for them; provided however, that no Prejudice be done to the Subjects of the said Bailliages, either as to Temporals or Spirituals.

And whereas the said Cloister and Bailliages, as well as the Archbishoprick, have suffer'd very much thro the Injury of Time, the present Lord Administrator shall pay without delay, for that reason, to the said Marquis, the Mony that shall be levy'd for that effect upon the said Archbishoprick, *viz.* the Sum of three thousand Rix-dollars, of which neither the said Marquis nor his Heirs shall be oblig'd to make any Restitution. It has been moreover agreed, That after the Decease of the said Marquis, it shall be lawful for his Heirs and Successors to retain, for the space of five years, the said Cloister and Bailliages, and all their Appurtenances, Dependencies and Rights, and enjoy and use the same, upon the account of Victuals that have not been furnish'd, without being oblig'd to render any Account. But after the Expiration of the five years, the said Bailliages, with their Jurisdiction, Rent and Revenue, shall return, without any delay, to the Archbishoprick, nor shall any thing be demanded or pretended upon the account of the said Sum; and all this shall take place when the said Archbishoprick of *Magdeburg* shall be possess'd by the Elector of *Brandenburg*, for his equivalent and due Recompence, and by his Heirs and Successors.

XV. As to the Affair of *Hesse-Cassel*, that which follows has been agreed upon.

*Satisfaction to
the House of
Hesse.*

1. In the first place, the Family of *Hesse-Cassel*, and all the Princes thereof, especially the Lady *Amelia Elizabeth*, Landgravine of *Hesse*, and Prince *William* her Son, and their Heirs, Ministers, Officers, Vassals, Subjects, and others engag'd in their Service in any manner whatsoever, without any Exception, notwithstanding any Contracts, Processes, Prescriptions, Declarations, Sentences, Executions and Transactions to the contrary (all which, as well as Actions or Pretensions upon account of Damages or Injuries from Neutrals, and such as carry'd Arms, shall remain void and null) shall fully enjoy the General Amnesty formerly establish'd, with an entire Restitution, to take place from the Commencement of the War in *Bohemia* (except the hereditary Vassals and Subjects of his Imperial Majesty, and of the House of *Austria*, as it is regulated in the Paragraph, *In fine* all, &c.) as also all the Advantages flowing from that Amnesty, and the religious

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Peace, with the like Right that other States enjoy, as it is regulated in the Article which begins, *With the common Consent also*, &c.

2. In the second place, the House of *Hesse-Cassel*, and the Successors thereof, shall keep the Abby of *Hiesfeld*, with all its Appurtenances, Secular and Ecclesiastical, situated without or within its Territory (as the Provostship of *Gelingen*;) saving nevertheless the Rights which the House of *Saxony* has possess'd there time immemorial; and for that end they shall demand Investiture of his Imperial Majesty, as often as shall be requisite, and shall take an Oath of Fidelity for the same.

3. In the third place, the Right of *Dominium directum & utile* to the Bailliages of *Schaumberg*, *Buckenburg*, *Saxenhagen* and *Stratthagen*, formerly made over and adjudg'd to the Bishop of *Minden*, shall from henceforth belong to *William* Landgrave of *Hesse*, and his Successors fully and for ever, without any Dispute or Trouble from the said Bishop or any other; saving nevertheless the Transaction betwixt *Christian Lewis* Duke of *Brunswick-Lunenbourg*, the Landgrave of *Hesse*, and *Philip* Count of *Lippe*, the Convention between the said Landgrave and the said Count remaining likewise in its Force and Vigour.

Moreover, it is agreed, That for the Restitution of the Places possess'd during this War, and by form of Indemnity, the Sum of six hundred thousand Rixdollars, of the Value and Goodness regulated by the last Imperial Constitutions, shall be paid, during the space of nine months, reckoning from the time of the Ratification of the Peace, to the Lady the Landgravine of *Hesse*, and her Son, or to her Successors Princes of *Hesse*, by the Archbishopricks of *Mentz* and *Cologne*, the Bishopricks of *Paderborn* and *Munster*, and the Abby of *Fulde* in the City of *Cassel*, at the Charge and Hazard of the Payers, without admitting any Exception or Pretext for hindring the promis'd Payment; and far less may any Arrest or Seizure be made of the Sum agreed.

And to the end that my Lady the Landgravine of *Hesse* may be so much the better assur'd of Payment, she shall keep and retain, on the following Conditions, *Nays*, *Coesfeld* and *Newhaus*, and have Garisons in those Places, which shall depend upon none but her self; but on this condition,

Condition, That besides the Officers and others necessary for the Garisons, those of the three foremention'd Places shall not exceed the number of twelve hundred Foot and a hundred Horse, leaving to my Lady Landgravine the Disposal of the number of the Cavalry and Infantry which she shall please to put into each of these Places, and what Governours she shall appoint.

The Garisons shall be maintain'd according to the Order commonly observ'd hitherto in the Maintenance of the Officers and Soldiers of *Hesse*; and whatever shall be necessary for keeping up the Fortresses, shall be furnish'd by the Archbishopricks and Bishopricks, in which the said Fortresses and Towns are situated, without diminution of the Sum afore-mention'd. It shall be lawful for the said Garisons to distrain the Recusants and Negligent, but not beyond the due Sum. In the mean time, the Rights of Sovereignty, and the Jurisdiction both in Ecclesiasticals and Temporals, as also the Revenue of the said Fortresses and Towns, shall be preserv'd for the Lord the Archbishop of *Cologne*.

But so soon as three hundred thousand Rixdollars shall have been paid to my Lady Landgravine after the Ratification of the Peace, she shall render up *Nuys*, and keep only *Coesfeld* and *Newhaus*; however she shall not put the Garison that goes out of *Nuys* into *Coesfeld* and *Newhaus*, nor demand any thing upon that account: nor shall the Garison of *Coesfeld* exceed the number of six hundred Foot and fifty Horse, or that of *Newhaus* the number of a hundred Foot. And if the whole Sum be not paid to my Lady Landgravine within the space of nine months, not only *Coesfeld* and *Newhaus* shall remain in her hands till the entire Payment thereof, but likewise she shall receive Interest for the rest of the Sum at the rate of 5 *per Cent.* till the whole shall have been paid off: And the Treasurers and Receivers of the Baillies belonging to the said Archbishopricks, Dutchies and Abbeys, and the Places contiguous to the Principality of *Hesse*, which shall stand good for the Payment of the said Interests, shall oblige themselves by Oath to my Lady Landgravine to pay her out of the Mony they receive the annual Interests of the remaining Sum, even altho their Masters should forbid it. And if the Treasurers and Receivers delay Payment, or employ the Reve-

nues otherwise, my Lady Landgravine may use all means to constrain them to make Payment ; the other Rights of the Master or Proprietor remaining in their first state. But so soon as my Lady Landgravine shall have receiv'd the whole Sum with the Arrears of the Garison, she shall restore the forenam'd Places kept by her as a Security, the Interests shall cease, and the Treasurers and Receivers shall be free of their Oath. As to the Bailliages, out of the Revenue of which, Interest shall have been paid in case of Delay, that shall be provisionally agreed before the Ratification of the Peace ; which Agreement shall be of equal force with this present Treaty of Peace.

Besides the Places which shall be left to my Lady Landgravine by way of Security, as has been said, and which shall be given up by her after Payment ; she shall restore in the mean while, immediately after the Ratification of the Peace, all the Provinces and Bishopricks, and all their Towns, Bailliages, Burghs, Fortresses, Forts ; and in fine, all the immovable Goods and Rights by her occupy'd during these Wars : but so that not only my Lady Landgravine and her said Heirs shall get back all the Ammunitions and Provisions that she shall have put into these three cautionary Places, and in the others to be restor'd by her (for as to such Ammunitions and Provisions that she has not brought, but found there when she was put in possession of the said Places, and which are yet there, they shall remain in the said Places) but also the Fortifications and Ramparts that have been rais'd during the time of her possessing these Places, shall be destroy'd and demolish'd ; but the Towns, Burghs, Castles and Fortresses, shall not be expos'd to Invasion and Pillage.

And altho my Lady Landgravine has not exacted any thing of any Person upon the account of Restitution and Indemnity, unless from the Archbishopricks of *Mentz* and *Cologn*, the Bishopricks of *Paderborn* and *Munster*, and the Abbey of *Fulde*, nor desires that any thing should be paid her by any other upon that score ; yet considering the Equity and State of Affairs, the Assembly has thought good, without prejudice to the Regulation in a preceding Paragraph, which begins, *Moreover, it has been agreed*, &c. that all the other States whatsoever on this or the other side the *Rhine*, which have paid Contribution to the *Hessians* since the first of *March* this

this Year, shall furnish, in proportion of the Contribution by them paid during that whole time, their Quota to the said Archbishopricks, Bishopricks and Abbey, to make up the above-mention'd Sum, and for the Maintenance of the Garifons : And if any one suffer Damage by the Delay of others Payment, the Delayers shall be oblig'd to repair the same ; and the Officers and Soldiers of his Imperial Majesty, of the most Christian King, and of the Lady Landgravine of *Hesse*, shall not hinder their being constrain'd thereto. Nor shall it be lawful for the *Hessians* to exempt any one in prejudice of this Declaration, but such as shall have paid their Quota shall from henceforth be exempted of all Charges.

As to what concerns the Differences between the Houses of *Hesse-Cassel* and *Darmstadt*, touching the Succession of *Marburg*, seeing they were entirely accommodated on the 14th of *April* last, by the unanimous Consent of both Parties ; it has been thought good, that that Transaction with all its Clauses, Appurtenances, and Dependencies, as it was made and sign'd at *Cassel* by the interested Parties, and represented in this Assembly, shall in virtue of the present Treaty have the same force as if it was inserted therein word for word, and that it may not be infring'd by the Parties contracting, nor by any other upon any pretence, whether of Contract, Oath, or any other thing ; but that it shall be exactly observ'd by all, altho any of such as are interested should perhaps refuse to confirm it.

In like manner the Transaction betwixt the late *William* Landgrave of *Hesse*, *Christian* and *Volrad* Counts of *Waldeck*, made the 11th of *April* 1635. and ratify'd by *George* Landgrave of *Hesse* the 14th of *April* 1648. shall have full and perpetual Force by virtue of this Pacification, and shall equally oblige all the Princes of *Hesse*, and all the Counts of *Waldeck*.

That the Right of Primogeniture introduc'd into the House of *Hesse-Cassel*, and that of *Darmstadt*, shall remain firm, and be inviolably observ'd.

XVI. So soon as the Treaty of Peace shall have been subscrib'd and sign'd by the Plenipotentiaries and Ambassadors, all Acts of Hostility shall cease, and whatever things have been agreed above, shall at the same time
Cessation of Hostilities.
be

be executed and perform'd on both sides.

Pecuniary Satisfaction to Sweden, and Evacuation of Places.

In the first place, the Emperor himself shall cause to be publish'd Edicts thro the whole Empire, and precisely command those who are oblig'd by these Conventions and this present Transaction to restore and accomplish, without fail or delay, all that they are bound to restore and accomplish, and to execute, between the time of the Conclusion and that of the Ratification of the Peace, the things that have been transacted; enjoining the Princes Directors and the Colonels of the Circles to procure and cause to be executed the Restitution of every one, according to the Order of Execution, and of these Compacts, at the Request of those who are to be restor'd. In like manner, this Clause shall be insert'd in the said Edicts, That because the Directors of a Circle, or the Colonel of the Militia, are not thought so proper to do this Execution in their own proper Cause and Restitution; in that case (and if perhaps the said Directors, or Colonel of the Militia, should refuse the Commission) the Princes Directors, and Colonels of the neighbouring Circle, shall acquit themselves of the said Commission of Execution, with respect to other Circles, at the request of those who are to be restor'd.

And also if any one that is to be restor'd should stand in need of the Emperor's Commissaries to support and strengthen the Act of any Restitution, Payment, or Execution (which shall be at the Choice and Option of the Person to be restor'd) they shall be given immediately; and in that case, and the more to hasten the Accomplishment of the things agreed above, it shall be lawful for those who are to restore, as well as for those who are to be restor'd, to name two or three Commissioners of either side, immediately after the Conclusion and Signing of the Peace, out of which his Imperial Majesty shall chuse one, whom those who are to be restor'd shall name, and likewise one out of those whom they who are to restore shall name; but so as there may be an equal number of both Religions, whom he shall appoint to execute without delay whatever ought to be effected by virtue of the present Transaction. And if those who ought to restore shall neglect to name Commissioners, then his Imperial

perial Majesty shall chuse one of those whom the Party to be restor'd shall have nam'd, and add another at his pleasure, always in an equal number of both Religions, whom he shall appoint to execute the Commission, notwithstanding the Opposition and Contradiction of the adverse Party; and those who are to be restor'd shall notify to those who are to make Restitution, immediately after the Conclusion of the Peace, the Tenor of the things which have been transacted.

In fine, all and every the States, Communities, or particular Persons, whether Ecclesiasticks or Seculars, who by virtue of the present Transaction, and the general Rules therein laid down, or of any particular and express Regulation, are oblig'd to restore, yield, give, do or fulfil any thing, shall be oblig'd immediately after the Publication of the Imperial Edicts, and after Notification of that which ought to be restor'd, to yield, give, restore, do and fulfil all that they are bound to, without Resistance, Opposition, or Allegation of any Prohibition, general or special saving Clause, inserted above in the Amnesty, and without any other Exception, as also without doing any damage to any one; and for that effect no State or Garison, nor any other whatsoever, shall oppose the Execution of the Directors, or Colonels of the Militia of the Circles, or of the Commissioners, but on the contrary shall give Assistance to the Executors against those who shall endeavour in any manner to hinder the said Execution. It shall also be lawful for them to make use of their own Force for that end, or the Force of those whom they are to put in possession.

All the Prisoners of both sides, whether of the Sword or of the Gown, without any distinction, shall afterwards be set at liberty in the manner that the Generals have agreed or shall agree, with Consent of his Imperial Majesty.

Last of all, as to what regards the disbanding of the *Swedish* Soldiery, all the Electors, Princes, States, and the free Nobility of the Empire of the seven following Circles, *viz.* the Circle of the four Electors of the *Rhine*, of *Upper Saxony*, of *Franconia*, of *Swabia*, of the *Upper Rhine*, of *Westphalia*, of the *Lower Saxony* (saving their Suit which has been usual hitherto in the like cases, and their Liberty and Exemption for the future) shall be oblig'd

do not to contribute the Sum of five Millions of Rix-
dollars, and to pay some portion in the Emperor, in three
Terms, at the first Term, one of one Million six
hundred thousand Rixdollars, within the Space of half
every one year, till the fourth, and the States of
the Circle of the Election of the Rhine, and those of
the Circle of the Upper Rhine, at Frankfurt on the Main;
those of the Circle of Upper Saxony, at Leipzig or Braun-
schweig; those of the Circle of Franconia at Nuremberg;
those of the Circle of Swabia at Ulm; those of the Circle
of Westphalia at Bremen or Münster; and those of
the Circle of the Lower Saxony at Hamburg. And in
order the more easily to obtain the Payment of that Sum,
it shall be lawful for those who are to be restor'd accord-
ing to the Amnesty, that is to say, for the true Lords
and Proprietors (not the present Possessors) to impose
and levy upon their Subjects the Quota which they are
to pay immediately after the Conclusion of the Peace,
and even before Restitution shall have been made; nor
shall the present Possessors give any hindrance when these
Contributions shall be exacted. Likewise the Sum of
twelve hundred thousand Rixdollars shall be paid the first
Term, in Assignments upon certain Estates, upon rea-
sonable Conditions, and to which each State shall agree
bona fide, in the space betwixt the Conclusion and Rati-
fication of the Peace. After which Convention and Ex-
change of the Ratifications of the present Treaty, the
said eight hundred thousand Rixdollars shall be paid, the
Disbanding of the Soldiery and the Evacuation of Places
shall be finish'd at the same time, and in equal proportion,
without any impediment or hindrance being given upon
any account whatsoever. In the mean time, immediately
after the Conclusion of the Peace all Contributions and
Exactions whatsoever shall cease; saving however the
Subsistence of the Garisons and other Troops, which
shall be agreed upon reasonable Conditions; saving like-
wise to the States that shall have paid their share, or
who shall have amicably accommodated the same with
the proper Officers, the liberty of demanding Satis-
faction for the Damages which they may have suffer'd
by their Neighbour States delaying to pay their Quota.

And as for the second and third Payments, the fore-
said States of the seven Circles shall pay *bona fide* in the

Cities above-mention'd to the Ministers thereto deputed, and empower'd by her Majesty of *Sweden*, the first Moiety of two Millions at the end of the next Year, reckoning from the disbanding of the Troops, and the other Moiety at the end of the following Year; the whole in Rixdollars, or other current Mony of the Empire. And whereas the said seven Circles are only oblig'd to pay the *Swedish* Soldiery, without any Pretension by any other, so all the Electors, Princes, and States of these Circles shall pay their share only conformably to the *Matricula* and Usage receiv'd in each place, and upon the Terms of Specification thereupon deliver'd.

As to the Circles of *Austria* and *Bavaria* (the States of the Empire having promis'd to his Imperial Majesty in this present Assembly, that in the first Dyet of the Empire they would give a Succour out of the Imposts of the Empire, for the Expence of the War which it hath suffer'd till this time) the Circle of *Austria* hath been exempted from other Charges. and reserv'd for the Payment of the Emperor's own Army, and the Circle of *Bavaria* for the Militia. The Imposts and Taxes in the Circle of *Austria* shall remain at the disposal of his Imperial Majesty. But in that of *Bavaria* the same manner of taxing and paying shall be observ'd, as is observ'd in the other Circles; and the Execution of the same shall be as in the other Circles, according to the Constitutions of the Empire.

*The Articles Preliminary to the Treaties of a
General Peace, agreed between the Allies
and France in the Year 1709.*

I. **A** Good, firm, and lasting Peace, Confederacy, and perpetual Alliance and Amity, shall be forthwith treated and establish'd between his Imperial Majesty, with all and each of his Imperial Majesty's Allies (principally the Kingdom of *Great Britain*, and the Lords the States General of the *United Provinces*) on the one part, and his most Christian Majesty, with his Allies, on the other part. And seeing the present Conjunctures have not permitted his Imperial Majesty to take previously the Approbation and Consent of the Empire, upon all that relates to it, in several Articles contain'd in these Preliminaries, his Imperial Majesty shall endeavour to procure, according to the Usage establish'd in the Empire, as soon as possible, the Consent and Ratification of the said Empire, before the Execution of the Articles which particularly concern the Empire.

II. And to attain this good End speedily, and to enjoy it as much as possible, from this time Preliminary Articles are agreed, to serve for a Foundation of the Treaties of a General Peace.

III. First, In Consideration and in Consequence of the said good Peace, and sincere Union of all the Parties, *The most Christian King shall, from this time, acknowledge, publickly and authentickly, as also afterwards, in the Treaties of Peace to be made, King Charles the Third, in the Quality of King of Spain, the Indies, Naples and Sicily, and generally of all the Territories dependant, and comprehended under the name of The Monarchy of Spain, in what Part of the World soever situate (except what is to be given to the Crown of Portugal, and the Duke of Savoy, pursuant to the Treaties between the High Allies, and the Barrier in the Netherlands, which the said King Charles the Third is to put into the hands of the said*
Lords

Lords the States General of the *United Provinces*, agreeably to the Tenor of the Grand Alliance in the Year 1701. except also what shall be hereafter mention'd touching the Upper Quarter of *Gelderland*, and also except the Agreements yet to be made with the said King *Charles* the Third, without excepting any thing more :) Together with all the Rights which the late King *Charles* the Second did possess, or ought to have possess'd, as well for himself as his Heirs and Successors, according to the Will of *Philip* the Fourth, and the Compacts establish'd and receiv'd in the most Serene House of *Austria*.

IV. And forasmuch as the Duke of *Anjou* is at present in possession of a great part of the Kingdom of *Spain*, of the Coast of *Tuscany*, the *Indies*, and part of the *Netherlands*, 'tis reciprocally agreed, That for the sure Execution of the said Articles, and of the Treaties of Peace to be made, the said Treaties shall be finish'd within the Term of two Months, to begin from the first Day of the ensuing Month of *June*, if possible ; during which time his most Christian Majesty shall so order it, that the Kingdom of *Sicily* shall be put into the possession of his Catholick Majesty *Charles* the Third. And the said Duke shall depart in full Safety and Freedom, out of the Limits of the Kingdoms of *Spain*, with his Consort, the Princes his Children, their Effects, and generally all Persons who are willing to follow them. And if, before the said Term expire, the said Duke of *Anjou* do not consent to the Execution of the present Agreement, the most Christian King and the stipulating Princes and States, shall, by Concert, take proper Measures, that it may have entire Effect, and that all *Europe* may, by the full Performance of the said Treaties of Peace, speedily enjoy perfect Tranquillity.

V. To facilitate the Establishment of that Tranquillity, his most Christian Majesty shall, within the Term of the two Months, withdraw the Troops and Officers he now has in *Spain*, and also those he has in the Kingdom of *Sicily*, as well as in the other Countries and Territories depending on the said Monarchy in *Europe*, and from the *Indies* as soon as possible ; promising, on the Faith and Honour of a King, not to send, henceforward, to the Duke of *Anjou* (if he refuses to acquiesce with this) or to his Adherents, any Succour,

whether of Troops, Artillery, Ammunition, or Money, directly or indirectly.

VI. *The Monarchy of Spain shall remain entire in the House of Austria, in the manner above-mention'd. None of its Parts shall ever be dismember'd; neither shall the said Monarchy, in Whole or in Part, be united to that of France; nor shall one and the same King, or a Prince of the House of France, ever become Sovereign thereof, in any manner whatsoever, either by Will, Legacy, Succession, Marriage-Compact, Donation, Sale, Contract, or any other way whatever: No King who shall reign in France, nor any Prince of the House of France, shall ever reign in Spain, or acquire within the Extent of the said Monarchy, any Towns, Forts, Places or Countries in any part of it, especially in the Netherlands, by virtue of any Donation, Sale, Exchange, Marriage-Compact, Inheritance, Legacy, Succession by a Will, or in default of a Will, in whatever kind or manner soever, either for himself, or for the Princes, his Sons, or Brothers, or their Heirs or Descendants.*

VII. *Particularly and especially, France shall never become possess'd of the Spanish Indies, nor send Ships thither to exercise Commerce, under any Pretext whatsoever.*

VIII. His most Christian Majesty being willing to give sure Proofs of the Intention he has to maintain a firm and lasting Peace, and to put an end to all Unbrage of his Designs, consents to deliver up to his Imperial Majesty and the Empire, the City and Citadel of *Strasbourg*, in the Condition they are now in, with the Fort of *Kehl*, and its Dependencies and Appurtenances, situate on either side of the *Rhine*; without any demand of Cost or Expences, under what Pretext soever; with a hundred Pieces of Brass Cannon of different Sizes, that is to say, fifty Pieces, some twenty four, some twelve Pounders; and fifty Pieces, some of eight, some of four pound Ball, and Ammunition in proportion; to be re-establish'd in the Rank, Prerogatives and Privileges of an Imperial City, which it enjoy'd before it came under the Dominion of his most Christian Majesty. Which said City of *Strasbourg*, and its Forts, shall be deliver'd up and evacuated immediately after the Ratifications of the Emperor and Empire shall be exchange'd at the *Hague*; and on the Appearance at the Gates of the said City and
Forts

Forts of *Strasburgh*, of some Person authoriz'd by a full Power from his Imperial Majesty and the Empire, in the usual Form, to take possession of them.

IX. That the Town of *Brisac*, with its Territory, shall be evacuated by his most Christian Majesty, and by him restor'd to his Imperial Majesty, and the House of *Austria*; with all the Cannon, Artillery, and Stores of War that shall be found in it, by the end of *June* at farthest; to be henceforward enjoy'd by his Imperial Majesty as his own Property, so as his Imperial Majesty has enjoy'd, and ought to have enjoy'd it, in execution of the Treaty of Peace concluded at *Ryswick*; with the Cannon, Artillery and Warlike Stores now in it.

X. His most Christian Majesty shall from henceforward possess *Alsace* in the literal Sense of the Treaty of *Munster*; so that he shall content himself with the Right of Prefecture over the Ten Imperial Towns of the said *Alsace*, yet without extending the said Right to the prejudice of the Prerogatives and Rights belonging to them in common with other free Towns of the Empire: and he shall enjoy his said Right, together with the Prerogatives, Revenues and Demesnes, in such manner as his said Majesty ought to have enjoy'd them from the Time of the Conclusion of the said Treaty, putting the Fortifications of the said Towns into the same Condition they were in at that time; excepting the Town of *Landau*, the Possession and Property of which shall belong for ever to his Imperial Majesty and the Empire, with power to demolish the said Place, if the Emperor and Empire shall think fit.

XI. In consequence of the said Treaty of *Munster*, his said most Christian Majesty shall, within the time agreed, cause to be demolish'd, at his own Expence, the fortify'd Places he has at present on the *Rhine*, between *Basil* and *Philipsburgh*, namely, *Hunninghen*, *New Brisac*, and *Fort-Louis*, with all the Works belonging to the said Fort on each side of the *Rhine*, so that they may never be rebuilt hereafter.

XII. That the Town and Castle of *Rhynfels*, with their Dependencies, shall be possess'd by the Landgrave of *Hesse-Cassel*, till it shall be agreed otherwise.

XIII. The Queen of *Great Britain*, and the Lords the States General, affirming, That the Clause inserted in the fourth Article of the Treaty of *Ryswick*, relating to Religion, is contrary to the Tenour of the Peace of *Munster*, and consequently ought to be repeal'd; 'tis thought fit that this Affair shall be refer'd to the Negotiation of the General Peace.

XIV. As to *Great Britain*, his most Christian Majesty shall, from this time, and in the Negotiation of the Treaties of Peace to be made, acknowledg the Queen of *Great Britain* in that Quality.

XV. His said Majesty shall also acknowledg the Succession of the Crown of *Great Britain* in the *Protestant Line*, as 'tis settled by Acts of the Parliament of *Great Britain*.

XVI. The most Christian King shall deliver up to the Crown of *Great Britain*, what *France* possesses in the Island of *Newfoundland*; and on the part of the Queen of *Great Britain*, as well as on the part of his most Christian Majesty, all the Countries, Islands, Forts and Colonies, which have been possess'd by the Arms of either side, during the present War, 'in what part soever of the *Indies* situate, shall be mutually restor'd.

XVII. *His said Majesty promises to cause all the Fortifications of the Town of Dunkirk, its Harbour and Rysbanks, with what belongs thereto, to be raz'd at his Expence, without exception; so that one half of the said Fortifications shall be raz'd, and one half of the Harbour fill'd up within the space of two Months; and the other half of the Fortifications shall be raz'd, as well as the other half of the Harbour fill'd up in the space of two Months more, to the satisfaction of the Queen of Great Britain, and of the Lords the States General of the United Provinces: Nor shall it be permitted ever to rebuild the Fortifications, or make the Harbour navigable again, directly or indirectly.*

XVIII. The Person who pretends to be King of *Great Britain*, having desir'd to depart the Kingdom of *France*, to prevent the Demand which the Queen of *Great Britain* and the *British* Nation have made, he shall retire into such Country, and in such manner, as by the next ensuing Treaty of a general Peace shall be agreed, as to the means of his retiring.

XIX. In the principal Negotiation of the Treaties to be made, care shall be taken to settle a Treaty of Commerce with *Great Britain*.

XX. As to the King of *Portugal*, his most Christian Majesty shall consent, that he shall enjoy all the Advantages stipulated in his favour, by the Treaties made between him and his Allies.

XXI. His Majesty shall acknowledg the King of *Prussia* in that Quality, and promise not to disturb him in the possession of the Principality of *Neufchatel*, and of the County of *Valengin*.

XXII. And as to the Lords the States-General, his Majesty shall yield, and make over to them, in the most expresse Terms that shall be judg'd proper, the Place of *Furnes*, with its District (the Fort of *Knocque* being therein included) *Menin* with its Verge, *Ipres* with its Castellany and Dependencies, which from henceforward shall be *Bailleu*, or *Belle*, *Warneton*, *Comines*, *Wermick*, *Poperingen*, and what depends on the Places above-mention'd (the Town and Castellany of *Cassel*, remaining to his most Christian Majesty) *Lisle*, with its Castellany (the Town and Government of *Domay* to be excepted) *Conde* and *Maubeuge*, with all their Dependencies; the whole in such condition as the said Places are at present, and particularly with the Cannon, Artillery, and Stores of War therein; to serve with the rest of the *Spanish Netherlands*, for the Barrier of the said Lords the States-General, upon which they may agree with the said King *Charles*, according to the Tenour of the Grand Alliance, as well with regard to the Garisons which the said Lords the States-General shall maintain therein, as to all other things in the *Spanish Netherlands*, and particularly as to their having the Property and Sovereignty of the Upper Quarter of *Gelderland*, according to the 52d Article of the Treaty of *Munster*, in the year 1648. as from time to time they shall think fit. But 'tis understood, that if there is a general Magazine in *Tournay*, the Quantity and Quality of the Artillery and Ammunition to be left in the said Place, shall be agreed.

XXIII. His most Christian Majesty shall also deliver up all the Towns, Forts and Places which he shall have possess'd himself of in the *Spanish Netherlands*, in the condition they are now in, with their Cannon, Artillery,

and Warlike Stores. But 'tis understood, that if since the Troops of the most Christian King enter'd *Namur*, any Magazine has been erected, or Stores of Artillery and Ammunition laid up in that Town and Castle, more than for their defence, they shall be remov'd by the Officers of his most Christian Majesty, in concert with those of the States General, at the time of the Evacuation; which shall not, on this account, be retarded, but shall be done within the time that shall be limited: the whole on this express Condition, that the *Roman Catholick* Religion shall be maintain'd in all the said Places to be deliver'd up, and in their Dependencies, in the same manner as 'tis now establish'd there; except that the Garisons of the States may exercise their own Religion, as well in the Places yielded and made over for enlarging the Barrier, as in the Places of the *Spanish Netherlands*, that are to be restor'd.

XXIV. And to the end that this Agreement may have its full effect, his most Christian Majesty promises not to cause to be remov'd from this time, any Cannon, Artillery, or Ammunition, out of the Towns and Forts which are to be restor'd and yielded up, by virtue of these Articles.

XXV. His Majesty shall grant to the said Lords the States General, in relation to their Commerce, what is stipulated by the Treaty of *Ryswick*, the *Tarif* (or Book of Rates) of 1664. the Suppression of the *Tarifs* made since, the Revocation of the Edicts, Declarations, and Arrests posterior to them, contrary to the said *Tarif* of 1664. and also the Abolition of the *Tarif* made between *France* and the said Lords the States General, the 29th of *May*, 1699; so that, with respect to them, the *Tarif* of the year 1664. only shall be of force: And all *Dutch* Vessels trading in the Ports of *France*, shall be exempted from paying the Tonnage-Duty of 50 Sols per Ton.

XXVI. At the signing of the Treaties of Peace, his Majesty shall acknowledg the Ninth Electorate, erected in favour of his Electoral Highness of *Hannover*.

XXVII. The Duke of *Savoy* shall be re-instated in the possession of the Dutchy of *Savoy*, the County of *Nice*, and of all the other Places and Countries hereditarily belonging to him, and of which his said Majesty shall have possess'd himself by his Arms, during the Course of the present

present War, without any Reservation ; his Majesty consenting besides, that his Royal Highness shall enjoy all the Countries, Territories and Places, which have been yielded and made over to him by the Emperor and his Allies.

XXVIII. That the King make over to the Duke of *Savoy* the Property and Sovereignty of the Towns of *Exilles*, *Fenestrelles*, and *Chaumont*, now possess'd by the Arms of his Royal Highness, together with the Valley of *Pragelas* ; as also whatever lies on this side the *Genevre*, and other Mountains : so that from henceforward the said Mountains may serve for a Barrier and Limits between the Kingdom of *France*, and the Principality of *Piemont*.

XXIX. As to the late Electors of *Cologne* and *Bavaria*, their Demands and Pretensions shall be refer'd to the Negotiation of the Treaties of Peace : And the Dispositions and Decrees of his Imperial Majesty, and the Empire, made and issu'd during this War, shall be maintain'd, with respect to his Electoral Highness Palatine, who shall remain in possession of the *Upper Palatinate*, the County of *Cham*, and the Rank and Dignity with which he has been invested by his Imperial Majesty ; as also with respect to what has been done in favour of the Imperial Town of *Donawert*, and to several other Dispositions of that nature. And for what relates to the Garrisons which on the part of the Lords the States General may be plac'd in the Town of *Huy*, the Citadel of *Liege*, and the Town of *Bon*, they shall remain there, till an Agreement otherwise be made with his Imperial Majesty, and the Empire.

XXX. And for removing all Doubts touching the Execution of the said Articles, and furthering the Execution of them, upon which depends the Re-establishment of the general Tranquillity, and of reciprocal Confidence and Amity between the Parties :

XXXI. 'Tis agreed, That the farther Demands, which the Emperor, the Queen of *Great Britain*, and the said Lords the States General may make in the Negotiation of the General Peace, as well as the most Christian King, shall not interrupt the Cessation of Arms, which will be mention'd in a subsequent Article.

XXXII. As for the Empire, the four Associated Circles, the King of *Portugal*, the King of *Prussia*, the Duke of *Savoy*, and other Allies, they shall be free to make in the said general Congress such Demands (besides what is above granted to them) as they shall think convenient.

XXXIII. The general Negotiation shall be finish'd, if possible, within two months, as is aforesaid.

XXXIV. And to the end the said Negotiation may be the better terminated within the space of the said two months; and that upon the Execution of the said Articles, the Peace may immediately be made; 'tis agreed that there shall be a Cessation of Arms between the Armies of all the Parties who are at War, to commence every where, as soon as the Conclusion of the said Articles shall come to the knowledg of the said Parties at present in War.

XXXV. The most Christian King, to give proofs of his Desire and Inclination to put a speedy End to this Bloody War, promises, immediately after the Conclusion and Ratification of the said Articles, to evacuate, as is aforesaid, in the *Netherlands*, the Towns of *Namur*, *Mons*, and *Charleroy*, before the 15th of *June* next; *Luxembourg*, *Coude*, *Tournay*, and *Maubeuge*, within fifteen days after; and before the 15th of *July*, the Towns of *Newport*, *Furnes*, with *Fort Knocque* and *Ipres*; and before the Expiration of those two Months, to raze and fill up (as is above stipulated) the Fortifications and Harbour of *Dunkirk*; the delivering up of *Strasburgh*, and the Fort of *Kehl*, being refer'd to the Stipulation of the eighth Article.

XXXVI. His most Christian Majesty promises likewise, from the time of the said Conclusion, and before the Expiration of the two Months after it, to execute all that has been formerly stipulated, with respect to the other Allies.

XXXVII. And in case the King of *France* executes all that is above-mention'd, and that the whole Monarchy of *Spain* be deliver'd up, and yielded to King *Charles III.* as is stipulated by these Articles, within the limited Term; 'tis agreed, That the Cessation of Arms, between the Parties in War, shall continue till the Conclusion and Ratification of the Treaties of Peace which are to be made.

XXXVIII.

XXXVIII. All this shall serve for the Basis and Foundation of the Treaties of Peace to be made, which shall be drawn up in the most ample Forms that have usually been observ'd in Treaties of Peace, with respect to Cessions, Successions, Renunciations, Dependencies, and Appendages, Evacuation of Cannon, Artillery, and Stores of War, Galleys, Crews serving in Galleys, without Cost and Charges, and the like Things.

XXXIX. The Ratification of the Preliminary Articles, above-specify'd, shall be furnish'd and exchang'd, on the part of the most Christian King, the Queen of *Great-Britain*, and the Lords the *States General*, before the 15th of *June* next; on the part of the Emperor, by the 1st of *July* following; and of the Empire as soon as possible: And upon the Delivery of the said Ratifications of the Queen of *Great Britain*, and the Lords the *States General*, the Execution of what is stipulated touching the Evacuation of the Places which his most Christian Majesty is to restore and yield up in the *Netherlands*, as also touching the Demolition of the Town of *Dunkirk*, and the filling up of its Harbour, and every thing granted to the said Potentates, shall immediately be set about, and perform'd out of hand: The like Execution shall take place, with respect to what is stipulated in favour of the Emperor, and King *Charles III.* after his Imperial Majesty's Ratification, and all that relates to the Empire shall be executed, after the Ratification of the said Empire shall be exchang'd. As to the other Allies, the Articles that concern them shall be executed, after they have acquiesc'd with, sign'd, and ratify'd the said Articles.

XL. And to hasten the Conclusion of the Treaties of a General Peace, 'tis agreed, that on the 15th of *June* next, the Congress shall begin in this Place of the *Hague*: And all Kings, Princes, and States in the Alliance, and others, shall be invited to send hither their Ministers Plenipotentiaries. And to prevent all Difficulties and Disputes about the Ceremonial, and to forward as much as possible the Conclusion of the General Peace, those of the said Ministers who shall have the Character of Ambassadors, shall not declare it, till the Day of signing the Treaties of the said Peace.

456 *Letter from the French Ministers*

Done, concluded, and sign'd, by the Plenipotentiaries of his said Imperial Majesty, of her Majesty the Queen of Great Britain, and of the Lords the States General of the United Provinces, with the Ministers Plenipotentiaries of his most Christian Majesty, in the *Hague*, the 28th of May, 1709. *Eugene of Savoy, Philip Lewis Count de Sinzendorf; the Prince and Duke of Marlborough, Townshend; Welderen, A. Heinsius, Bonima, Baron de Reed van Renswoude, Goslinga, Iersum, Wichers, Wil. Buys, Van Dussen.*

A Letter from the French Ministers to the Great Pensionary, dated from Gertruydenberg the 20th of July 1710.

S I R,

YOU know we agreed to all that Messieurs the Deputies had propos'd to us, and none can say we have vary'd upon any Point whatsoever, much less that we have retracted the Offers we had made by order of the King our Master, with Intention to procure Peace, so necessary to all *Europe*.

Messieurs the Deputies have taken the matter otherwise. You have not forgotten what has pass'd between them and us from the beginning of the Negotiation: Give us leave, Sir, to lay before you the Propositions newly invented, unjust, and impossible to be executed, which those Gentlemen, for a final Answer to ours, made to us in the last Conference: They told us,

That the Resolution of their Masters and their Allies was to reject absolutely all Offers of Money on the part of the King to help them to maintain the War in *Spain*, whatever might be the Sum, and whatever Security his Majesty would give for the Payment.

That the State and its Allies would oblige the King our Master to make war singly against the King his Grandson, to compel him to renounce his Crown; and that without uniting their Forces to those of his Majesty, they would
have

have that Monarch disposseſs'd of *Spain* and the *Indies* within the term of two Months.

That this Term expiring without the Catholi King's being actually driven from the Throne, the Truce to be between the Allies and the King our Maſter ſhould ceaſe; and that they would reſume their Arms againſt his Maſteſty, tho he ſhould have perform'd all the other Conditions contain'd in the Preliminary Articles.

That before the ſigning of thoſe Preliminaries they were willing, provided the King would enter into the Engagement above-mention'd, to explain themſelves poſitively as to the Partition which they would conſent to leave to the King of *Spain*; and that they would likewiſe facilitate an Agreement upon their further Demands.

Laſtly, That they might be willing to permit, as a Favour, that the Troops they have in *Portugal* and *Spain* might aſt jointly with thoſe of *France*, during the ſpace of two Months, to facilitate the Conqueſt of *Spain* and the *Indies*, which his Maſteſty ſhould be oblig'd to make in favour of the Archduke: but that immediately upon the Expiration of that term, thoſe Troops of the Allies ſhould ceaſe ſo to aſt, and that the Truce ſhould break off.

We repreſented to Meſſieurs the Deputies, that theſe Propoſitions were contradictory, as well to thoſe they had all along made to us, as to the fourth and fifth Articles of the Preliminaries, whereto the 37th Article, which 'twas our buſineſs to regulate, related: the Tenour of thoſe three Articles being to preſcribe the Manner of putting the Allies into ſure Poſſeſſion of *Spain* and the *Indies*.

They answer'd, That the Conceſſion of a Partition, which in good time they would ſpecify, and which they have not yet declar'd, gave them a Right to inſiſt now upon more than the fourth and fifth Articles import.

In reply to this, we urg'd an unanſwerable Argument; by demanding of them, whether in all our Conferences a Partition had not been talk'd of? And whether upon that Foundation they had ever requir'd any thing elſe of us, than the taking of Meaſures by Concert, and the acting with united Forces?

Meſſieurs the Deputies did not deny it, for they could not deny it; but they ſaid, that if they had propos'd the taking of Meaſures by Concert, and the acting with
united

united Forces, they would not abide by it ; having order to declare in the name of the Allies, and to tell us, that in a word their Determination was, Whether the Partition were accepted, or whether it were not, to receive from the hands of the King our Master the Monarchy of *Spain* and the *Indies*, leaving to him singly the Care of employing such means, either of Persuasion or of Compulsion, as he should judge most effectual, to put the Archduke into actual Possession of his Dominions within the space of two Months.

So formal a disclaiming of all the past Proceedings and of all the Demands made on the part of the Allies, as also the rejecting whatever was possible to be done on our part ; sufficiently betray, Sir, a form'd Design to break off all Negotiation.

'Twas needless to allow us the term of fifteen Days, for our procuring the Answer of the King our Master to these Demands, altogether new, and till now unheard of, the Performance of which is out of his power.

His Majesty has long since intimated, That for the sake of a definitive and secure Peace, he would yield to such Conditions as he himself could execute : but he will never promise what he knows is impossible for him to perform. If by the Injustice and Obstinacy of his Enemies he be depriv'd of all Hope of obtaining Peace ; then, trusting in the Protection of God, who is able when he pleases to humble those whom unhop'd for Prosperity elevates, and who make no account of the publick Calamities and the Effusion of Christian Blood, he will leave it to the Judgment of all *Europe*, even to the Judgment of the People of *England* and of *Holland*, to distinguish who are the true Authors of the Continuance of so bloody a War.

On one hand they will see the Advances which the King our Master has made, the Consent he has given to the hardest Propositions, and the Engagements into which his Majesty yielded to enter, for taking away all Diffidence and forwarding the Peace. On the other hand they may observe a continual Affectation to speak obscurely, that there might be always room to form Pretensions beyond the Conditions agreed ; insomuch that we had no sooner yielded to one Demand, and such as seem'd to be the utmost that could be ask'd, but 'twas
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ish'd to substitute another more exorbitant in its

will likewise perceive a Variation, solely regulated by the Events of War, or by the Facilities the King our Master shew'd for Peace. It appears Letters written to us by Messieurs the Deputies, by themselves do not deny this.

Year the *Dutch* and their Allies look'd upon it as a Crime, for Men to think them capable of demanding the King to unite his Forces to those of the Confederates to oblige the King his Grandson to quit his Crown, appeal'd even to the Preliminaries, which speak of taking Measures by Concert: They have since no difficulty to insist peremptorily upon it.

He would now have his Majesty undertake it singly; they have the Assurance to say, that if they would formerly contented themselves with less, their Ingratitude (which they now better understand) induces them to be content with it any longer. Such a Declaration, is a formal Rupture of all Negotiation; and the Chief of the Allies wish for.

Should we continue longer at *Gertruydenberg*, should we stay whole Years in *Holland*, our Stay would be useless, seeing those who govern the State are persuaded that it is in their Interest to make the Peace depend upon an immediate Condition. We do not offer to persuade them to prolong a Negotiation which they have a mind to conclude; and in short, whatever Desire the King our Master has to procure Quiet to his People, it will be less consistent to them to support the War, an End of which now his Majesty would purchase by so great Sacrifices against the same Enemies with whom he has been engaged these ten Years; than to have him add the King his Grandson to those Enemies, and imprudently undertake to conquer *Spain* and the *Indies* in two Months, in a short Assurance, when that term is expir'd, to find his Majesty's Forces strengthen'd by the Places he must yield to them, and by consequence in a condition to turn against the new Force he should put into their hands.

Sir, is the positive Answer which the King has given us to make to you upon the new Propositions of the Deputies. We do it at the end of six days of fifteen, which they had allow'd us as a Favour.

This

460 *Letter from the French Ministers.*

This Dispatch may serve at least to satisfy you, that we do not seek to amuse you, and that if we have frequently desir'd Conferences, 'twas not to multiply them to no purpose, but to omit nothing that might conduce to Peace.

We pass over in silence the Proceedings towards us in contempt of our Character. We say nothing to you of the injurious Libels full of Falshood and Calumny, which have been suffer'd to be printed and dispers'd during our Stay, with design to inflame against us the Minds of those with whom we were labouring to beget a Reconciliation. We do not even complain, that in breach of the publick Faith, and in scorn of our so oft-repeated Remonstrances, all the Letters which we have receiv'd or written have been open'd: From which however this Advantage results to us, that the Pretext made use of to palliate those Indignities was discover'd to be ill-grounded. None can reproach us with having attempted any of the least Practices contrary to the Rights of Nations, which were violated towards us. And 'tis palpable, that by hindring any from making Visits to us in our kind of Prison, the thing most fear'd and sought to be prevented, was, our discovering such Truths as were industriously kept conceal'd.

We desire you will please, Sir, to return an Answer by our Express, whom we have order'd to wait for it; or if you will not answer, to give him a Certificate of your Receipt of this Letter. We are most intirely,

S I R,

*Your most Humble and most
Obedient Servants,*

Huxelles. *The Abbot de Polignac.*

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An Extract from the Register of the Resolutions of their High Mightinesses the Lords the States-General of the United Provinces of the Netherlands. On Wednesday the 23d of July, 1710. at half an hour past six in the Evening.

M. *De Randwijck* and other Deputies of their High Mightinesses for foreign Affairs, reported to the Assembly, that the Counsellor Pensionary *M. Heinsius* had communicated to them a Letter of the Marſhal *de Uxelles* and the Abbot *de Polignac*, Plenipotentiaries of his Majesty the King of *France*, written to him the Counsellor Pensionary from *Gertruydenberg* the 20th of this Month, as an Answer to what had been propos'd to them in the last Conference by the Deputies *M. Buys* and *Vander Dussen*, and upon which they had debated: That they the said Deputies for Foreign Affairs had judg'd the Contents of that Letter to be of such a nature, as to concern not only the State, but likewise all the Allies; and therefore held it their Duty to communicate it to their Ministers residing here, to the end that every thing hitherto having been done in concert with them, the like Rule might be observ'd in this Affair. And that the said Ministers, as well as they the Deputies were of opinion, that the said Plenipotentiaries rejecting by their said Answer the Propositions made to them, declaring that 'twas useles to hold any more Conferences upon those Propositions, and thereby breaking off the Negotiations on that Subject; nothing more remain'd to be done on the part of the High Allies, than to acquiesce therewith, and to enter into no more Conferences as long as the Enemy shall continue in such Sentiments; because while they are in this Temper further Conferences could produce no good effect, but would only create Animosities, instead of disposing and forwarding things towards Peace, which the State and its Allies have always sought.

Upon which their High Mightinesses having deliberated, approve and agree to the Opinion as well of the Deputies as of the Ministers of the High Allies; and have also
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thought

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thought fit and resolv'd, That the Deputies *M. Buys* and *Vander Dussen* shall be requir'd and authoriz'd, as they are by these Presents, to signify it by a Letter to the said Plenipotentiaries, without entring into a Debate upon the Contents of the Letter above-mention'd, notwithstanding it might with much Facility and Reason be refused, as well with respect to Things as Words.

That besides, a Copy of the said Letter shall be put into the hands of the said *M. de Randwijck*, and other Deputies of their High Mightinesses for Foreign Affairs, that they may concert with the said Ministers what is proper to be done further, conclude thereupon with them, and make a Report of the whole here to this Assembly.

[*This agrees with the Register.*]

F. Fagel.

The Resolution of their High Mightinesses the Lords the States-General of the United Provinces of the Netherlands. Pass'd on Sunday the 27th of July 1710. Copied from their Register.

M. *De Randwijck* and other Deputies of their High Mightinesses for Foreign Affairs, having by virtue of their Commisorial Resolution of the 23d instant, and to acquit themselves of the Duty therein prescrib'd them, confer'd with the Ministers of the High Allies, upon the Letter of the Marshal *de Vexelles* and the Abbot *de Polignac*, written to the Counsellor Pensionary *Heinsius*, and dated from *Gertruydenberg* the 20th past; being in answer to what had been propos'd to them in the last Conference, by the Deputies *M. Buys* and *Vander Dussen*, and which was the Subject of that Conference: And having consulted together what might be proper to do and to resolve thereupon, reported to the Assembly, That the said Ministers, jointly with them the Deputies, had unanimously express'd a deep Concern to see that the Enemy, by breaking off the Negotiations which had been resum'd in order to attain a good and general Peace, had dissipated the Hopes that were entertain'd from those Negotiations, and put back the Peace which was so earnestly wish'd for on the part of the Allies:

Allies. But having consider'd that Peace cannot be made unless the Enemy are willing, and it appearing clearly that such Willingness is as distant from their Thoughts, as in specious Words 'tis present in their Mouths, nothing remains for the State and their High Allies to do, but to acquiesce, tho with regret, with this Rupture, and to satisfy their own Minds with the firm Persuasion they are in, that their Intentions to settle Peace upon solid and equitable Foundations, were sincere; and that having ardently desir'd to attain thereto, had the thing been possible, no impartial and equitable Person can impute to them the Rupture of the Negotiations and the Continuance of the War: For tho the abovesaid Letter abounds in reproachful Accusations and odious Expressions, and endeavours to fasten upon the High Allies the Dissolution of the Conferences and the Prolongation of the War, as if they demanded things new, unjust, and impossible to be executed; the Truth of Fact remains ever the same, and shews clearly that the fault lies wholly in the Enemy, who have departed from the Foundation on which the Negotiation was begun, and study Pretences to elude the Execution of the capital Point, that is to say, the Restitution of *Spain* and the *Indies*.

To prove this evidently, let it be consider'd, that for a long time, while the Enemy were desiring to enter into some Conferences, and into a Negotiation for Peace, the Allies neither would nor could consent to it, unless for a Foundation certain Points were agreed, upon which the Work of the Negotiation might be built and upheld for obtaining a good and general Peace; among which Points the first and principal was, Restitution of *Spain* and the *Indies* to King *Charles the Third*: which was granted by *France*, even before the coming of *M. Rouille* and the *Marquis de Torcy* into this Country; and consequently before the Conclusion of the Preliminary Articles by which that Restitution is confirm'd more at large, and stipulated and promis'd a-new. And therefore no Person can think it strange, that the High Allies insist upon so capital a Point as that which was the Cause of their entering into the War, and for which it has lasted so long a time; nor that the said Allies require intire Security upon a Point of so great importance.

The said Allies judging that Security was no otherwise to be had than by the 37th Article of the Preliminaries, and his Majesty the most Christian King having not thought fit to approve the said Preliminaries, because of the said 37th Article; therefore that Article came to be the Subject of the Negotiation which the Enemy have now broken off, and which was set on foot for the finding out some Equivalent, by which the same Security might be given to the Allies as they had by the said 37th Article of the Preliminaries. In the first Conference held upon this Subject at *Gertruydenberg*, between the Marshal *de Uxelles* and the Abbot *de Polignac* on the one part, and *M. Buys* and *Vander Dussen* on the other; these latter having represented, That the Propositions which till then had been made, to give to the Allies cautionary Towns in the *Netherlands*, to serve in lieu of the Security which they suppos'd they had by the 37th Article of the Preliminaries, could not be accepted, because the Allies would be thereby engag'd in a separate and uncertain War against *Spain*, while *France* would enjoy Peace; and that it could not reasonably be requir'd of the Allies, that they should continue in a War liable to all kinds of Accidents, and wherein they should even run the risque of never recovering *Spain* and the *Indies*; but that 'twas necessary the Peace should be general: the Plenipotentiaries of *France* appear'd so well persuaded of it, that in that first Conference, and in the others next following it, they propos'd, That since they saw the Allies would be satisfy'd with no other than a general Peace, with the Restitution of *Spain* and the *Indies*, of which King *Philip* continu'd possess'd, there were but two ways to induce him to relinquish them; the one that of Compulsion, the other that of Persuasion. The first, they said, would be hard to *France*, and the last would not be practicable, unless some Portion of the *Spanish* Monarchy might be put into their hands, by means of which the foresaid King might be induc'd to give up the rest. And there-upon having demanded, whether for the procuring a general Peace, the Allies might not hearken to a Partition, they propos'd several Alternatives, one of which being agreed, the Monarchy of *Spain*, deducting from it the Portion to be left to King *Philip*, should be transfer'd to King *Charles*. After divers Conferences, the Plenipotentiaries

tiaries of *France* reduc'd at last the said Alternatives to *Sicily* and *Sardinia*; which on the part of the High Allies neither could nor ought to be understood otherwise, than that those two Kingdoms being left to the Grandson of his most Christian Majesty, he should be thereby perswaded by *France* to restore to the High Allies the rest of the Monarchy of *Spain* of which he was still in possession: But the High Allies discovering, from what pass'd in the last Conference but one, and by the Report of the Deputies, that if the High Allies should prevail with themselves to accept the Proposition which had been made for obtaining a general Peace, it would remain uncertain whether they should thereby acquire a general Peace, because the said Plenipotentiaries of *France* did not explain themselves clearly, whether in such case *Spain* and the *Indies* would be put into the hands of King *Charles*, conformably to the Preliminaries; and even because they appear'd to suppose the contrary: for one of the two took upon him to propose (tho as his private Thought) that the Allies should content themselves if the King of *France* would assist them with a certain Sum of Mōny to help them to conquer *Spain* and the *Indies*; they judg'd that before they declar'd themselves upon that Proposition, 'twas necessary to be thorowly inform'd of the Intentions of *France* in so weighty and so essential an Affair.

In order to this, they desir'd M. *Petkum*, who formerly had been employ'd in the Negotiation, and was so again for this end, to talk about it with the Plenipotentiaries of *France*, and to acquaint them that the High Allies could not accept what had been propos'd touching a Subsidy, because that suppos'd a separate Peace with *France*, and the Continuance of a War separately against *Spain*, to which the Allies could not consent, for the Reasons alledg'd in the first Conference; requiring at the same time a plain Declaration of the Intentions of *France* upon the Point of evacuating *Spain* and the *Indies* in favour of King *Charles*, conformably to the Preliminaries, before which the Allies could not explain themselves upon the Proposition of a Partition. And withal, M. *Petkum* was to declare on the part of the Allies, that their Intention was, that the Foundation which had been laid, namely the Restitution to them of *Spain* and the *Indies* according to the Preliminaries, should remain firm;

and that on that foot the Negotiation might be continu'd; but if any Offer was made to depart there-from, the Continuance of the Conferences would be fruitless. The said Plenipotentiaries having not thought fit to answer in any manner to what *M. Petkum* represented to them, and having some days after demanded a new Conference, and the Deputies having intimated in their Answer to that Demand, That they were ready to explain themselves upon what *M. Petkum* had propos'd, the said Deputies went again to *Gertruydenburg*; where the said Plenipotentiaries told them, that tho they did not think themselves oblig'd to receive a Message by *M. Petkum*, yet they had sent his Proposition to the Court; but that in their Opinion it had been found there so general and ambiguous, that they had not receiv'd any Order thereupon. Wherefore the said Deputies did so well explain and justify the said Proposition to the said Plenipotentiaries, that they left remaining no Doubt or Ambiguity concerning it; representing to them, that the High Allies could not accept the Proposal of Subsidies, for the Recovery of *Spain* and the *Indies*; and deducing their Reasons for it, namely, because by the Discourse which pass'd about it in the preceding Conference, they clearly perceiv'd, that no Agreement could ever be made, but that mighty Difficulties would occur, either as to the Sums, or the Security for the Payment of them, or the Security to be given by *France* not to assist directly or indirectly the Duke of *Anjou*. [From which it appears, that the Refusal of all Offers of Money of what nature soever, and what Security soever could be propos'd, is a little too liberally asserted in that Letter.] But the principal and essential Reason why that new Proposition of the said Plenipotentiaries could not be accepted, was, because it suppos'd a separate War with *Spain*, and that that Kingdom and the *Indies* were to be conquer'd by the Arms of the Allies; which was contrary to the first Foundation, and to the Intention of the High Allies.

Further, in explanation of the remaining part of the Proposition of the said *M. Petkum*, the said Deputies represented, supporting what they advanc'd with good Reasons, That the said Plenipotentiaries having propos'd a Partition, and having reduc'd it to *Sicily* and *Sardinia*, the High Allies had always been, and still were persuaded
that

that the true Sense of that Proposition was; That in case they would declare themselves thereupon, the Preliminary Articles would then remain intire, as well the 37th as all the rest, which *France* had declar'd should subsist before this Negotiation was resum'd; and that by consequence *Spain* and the *Indies* with their Dependencies should be restor'd, conformably to the Preliminaries; that is to say, within the time therein express'd, or within such other time as should be agreed: and that if the said Restitution were not made accordingly, what was stipulated in the Preliminaries should have effect, namely, that the Suspension of Arms should cease. That this Point of the Restitution of *Spain* and the *Indies* with their Dependencies being the Foundation and the essential Point of the Negotiation, the Allies could not continue in any uncertainty concerning it, nor be content with Words and Promises, without being sure that they would have effect. That therefore they conceiv'd a peremptory Declaration ought to be given them thereupon, before they explain'd themselves touching the Partition propos'd: but when they should be plainly inform'd and satisfy'd with respect to the foresaid essential Point, they would facilitate means for terminating all the rest, and bringing it to a good end. That among the means proper to be made use of for facilitating the Affair, this might be one, viz. in case the King of *France* could not persuade his Grandson to quit and yield up *Spain* and the *Indies*, according to the Preliminaries, but should be oblig'd for that end to use Measures of Compulsion; in that case the Allies would likewise cause their Troops in *Spain* and *Portugal* to act for the same purpose during the time limited for the Cessation of Arms, or during the further time that should be agreed: tho according to the Preliminaries they were not oblig'd thereto, but might discharge their Engagements in those Preliminaries, by remaining during such time in Inaction. The Allies having judg'd it necessary to explain themselves by the Deputies thus clearly and precisely, and to demand a like Explanation on the part of *France*, the said Plenipotentiaries took upon them (as was propos'd to them) to write again to Court; and in consequence they have now sent the Answer contain'd in the Letter above-mention'd.

'Tis notorious and incontestable, that before any Negotiation was begun, that while the Preliminaries were treating, that by those Preliminaries themselves, that before this last Negotiation was resum'd, and all the while it lasted, the Restitution of *Spain* and the *Indies* has ever been laid down for the firm and immovable Foundation of the Negotiation, and that there is no Question remaining concerning it; unless only, that the Allies insist on having intire Security given them that this Foundation once laid, remain fix'd, and be not overturn'd; and that what has been promis'd them concerning it from the very first and without difficulty, have its full effect; or at least that a Security be given them equivalent to what they think they have by the 37th Article of the Preliminaries: this essential Point being of so great importance, that 'twould be acting against all manner of Prudence and Reason to consent that the smallest Doubt should remain concerning it.

It is also clear and evident, that the High Allies have a Right to demand for the House of *Austria* the Restitution of *Spain* and the *Indies* with their Dependencies, not only of the Duke of *Anjou* as having possession of them, but principally of the King of *France*, as the Person who contrary to a Renunciation and solemn Treaties got possession of them in the manner universally known, and who by consequence is oblig'd to restore them. Nor can the Impossibility alledg'd exempt him from it; for besides that this Impossibility, which cannot by any means be taken for granted, has no other Cause than the said King's own Act and Deed, in putting his Grandson into a condition to maintain himself against his Will in the Possession wherein his said Majesty plac'd him, by which his said Majesty's Obligation to Restitution would not be in any manner diminish'd; no Man can let himself be easily persuaded that the Grandson of his said Majesty, who out of *Spain* has no Support or Supply but from his said Majesty, could or durst undertake to keep possession of *Spain* and the *Indies*, if his said Majesty would *bona fide* and sincerely signify his Will to him on that Subject, and make him feel the Effects of such his Will if need should require, particularly when the High Allies shall concur with him during the time of the Truce. This is so manifest, that 'tis not to be conceiv'd how

how otherwise the most Christian King could without making any difficulty promise the Restitution of *Spain* and the *Indies*, even before the first Negotiation was begun; how he could lay it down as the first Foundation, upon which all has since been built; or how the Court of *France* could have any other Opinion than this, namely, either that his said Majesty very well knew the Will and Intention of his Grandson to give up *Spain* and the *Indies*, or that he knew by what means to compel him to it if it were necessary; for otherwise it would follow, that his said Majesty did from the first design to amuse the High Allies, and to cajole them, by promising them a thing so essential, that he had neither in his Will nor in his Power to effect; which is not to be presum'd, unless one would question his good Faith: The rather, because in a Conference held here last Year with the Ministers of *France*, one of them said, that perhaps King *Philip* would be at *Versailles* before him; a plain proof, that there was no manner of doubt then at the Court of *France* of a thing which they would now pass upon us for impossible, and that they were thorowly persuaded that at all adventures the Matter depended wholly on the Will or on the Power of his most Christian Majesty.

From all this it undeniably results, that in the last Conference the said Deputies demanded nothing on the part of the Allies, but what from the first beginning and in the progress has constantly been laid down for a Foundation; what they might demand with Justice; what *France* was able to perform; and consequently that what is alledg'd in this Letter, and so often repeated in it, namely, that the Propositions made by the Deputies in the last Conference were newly invented, unjust, and impossible to be executed, is altogether groundless; seeing the Restitution of *Spain* and the *Indies*, with their Dependencies, except what should be otherwise agreed upon, has been with reason always demanded from the beginning to the end, and could not have been propos'd on the part of *France* but as a thing possible, and was reputed such, and is so still by the Allies.

'Tis very easy to disprove what is alledg'd in divers other parts of this Letter, particularly that the said Deputies did often vary, did contradict themselves in different Propositions, did propose some contrary to the 4th

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and 5th Articles of the Preliminaries, did retract at one time what they had advanc'd at another, and several other the like things, which are therein set forth in an odious manner: for it appears by what is said above, that the said Deputies have always had this Thought, and could have no other than this, *viz.* That the Proposition of a Partition, on the part of *France*, was made in this plain Sense and Meaning, That if it could be once agreed, all the Difficulties that have hitherto occur'd in the Execution of the Preliminaries, would thereby be remov'd, and at the same time those Difficulties would be prevented, which consist in the taking of the Measures mention'd in the 4th Article; which Measures likewise would not subsist, if that Article could be separated from the 37th, which it could not if the unexpected Case should happen, that the Duke of *Anjou* should refuse to quit *Spain*, and *France* after having employ'd two Months in vain, should have occasion for the Assistance of the Allies, to make him abandon not only *Spain* and the *Indies*, but likewise the whole Monarchy without the least dismembring.

In the last Conference but one, the said Plenipotentiaries gave occasion for some Discourse, whether proper Means might not be found to secure to the Allies the Restitution of *Spain* and the *Indies* more effectually; but the said Deputies did not therefore depart from their first Sentiment, which was, that the Proposal of a Partition had been made to facilitate the said Restitution, and to execute by favour of that Partition the Preliminary Articles in all their parts. But the Discourse which pass'd on that Subject affording ground to apprehend that *France* had a contrary Intention, this gave occasion for demanding a fair Explanation from that Court, and for declaring plainly in the last Conference the Thought of the Allies on that Subject: yet it cannot therefore be said of those Deputies that they have vary'd, and have contradicted themselves, and retracted, as they are accus'd; seeing they always kept to the principal Point, namely the Security which the Allies ought to have with respect to the Restitution of *Spain* and the *Indies*.

In like manner, all that is alledg'd of the pretended Variation of the Allies according to the Events of War, and the Facilities of *France* to expedite the Peace, is destitute

destitute of all Foundation, as are also the Instances brought to prove it; for we are not conscious, nor is it any way acknowledg'd on the part of the Allies, that the last Year they would have look'd upon it as an Injury to be thought capable of demanding of the King of *France* that he should unite his Forces with theirs, this having never been alledg'd, neither last Year nor this, in any of the Conferences; and if any thing may have been said elsewhere, no Conclusion can be drawn from it. And certainly had the Allies been inclin'd to vary according to Events, what has pass'd since the adjusting of the Preliminaries, as the Conquest of the Town and Citadel of *Tournay*, the Victory of *Malplaquet*, the Reduction of *Mons*, the Passage of the Lines near the *Scarpe*, and the taking of *Doway*, would afford them ground sufficient.

As to the said Plenipotentiaries expatiating in several places of their said Letter upon the Hardship of the Conditions, which would oblige the King their Master to make war singly against his Grandson, and providing that in case the Restitution of *Spain* and the *Indies* should not be intirely perform'd within two Months, the Truce should cease, notwithstanding the King of *France* should have executed all the other Conditions of the Preliminaries; 'tis to be observ'd, that what is said in one place, namely that the King should make war singly against his Grandson, is contradicted in a subsequent Period a little lower, where 'tis said, that the Troops which the Allies have in *Portugal* and *Catalonia* shall act in conjunction with those of *France* during the space of two months. For altho it be there added, that this should be only as a Favour (for so 'tis thought fit to stile it, to render odious a Concession which the Allies are willing to make) and that after the expiration of that term those Troops should cease to act; yet 'tis certain that this would be a no inconsiderable Assistance, for the said time of two months, or for such other longer term as might be agreed: nor could it be thought extraordinary, if those Troops should act no longer, seeing that after the prescrib'd Term the Truce must expire. Besides, those who would exclaim against the Hardship of obliging the most Christian King singly to procure the Restitution of *Spain* and the *Indies*, would do well to reflect what a Hardship it was when

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his said Majesty possess'd himself singly of all the *Spanish* Monarchy, and put the rest of *Europe* in danger of becoming his Prey likewise. But in reality the thing being duly consider'd, 'twill not be found that there is more Hardship in it, than what is incidental to all Contracts or Treaties that stipulate some Restitutions, and particularly such as import the Restitution of things which are unjustly possess'd. In the mean time, it may not unreasonably be presum'd from the Posture the Affairs of *Spain* are now in, that it would not cost his said Majesty the most Christian King much trouble, to oblige, either by the way of Persuasion or Compulsion, his Grandson to make Restitution of *Spain* and the *Indies*, provided his Majesty would go about it sincerely, and that his Grandson and the *Spanish* Nation were thorowly persuaded that 'twas the serious Intention and unfeigned Will of his said Majesty. Besides, there is no more Hardship in this than is in all other Conventions and Treaties, because the Truce is to cease upon the Expiration of the Time limited for the Restitution of *Spain*: for as the Allies would have cause to take it for an Infraction of the Treaty, if any Towns that might be stipulated to be yielded to them, should not be deliver'd up within the time prescrib'd, and to endeavour to procure Satisfaction by Arms; so 'tis yet more just and reasonable, that if an Article so important as that of the Restitution of *Spain* and the *Indies*, should not be executed within the time stipulated, they should have a Right to resume Arms, to obtain the most essential Point of all that might be agreed; nor could it be deem'd a Hardship, if the Allies in such a case should make use of all their Forces.

Further, the High Allies have the more reason to insist that *France* procure the Restitution of *Spain* and the *Indies* within the time prescrib'd, because it appear'd clearly enough by the Discourse of one of the Plenipotentiaries, that should they come even to join their Forces to obtain that Restitution, so many Obstacles would be form'd or might be form'd in the Execution, that there would never be an end of it; he having given to understand, that 'twill be necessary first of all to examine and settle what number of Land-Forces each shall contribute, whether 'twill be best to act jointly or separately, how or where the Troops shall serve, how many Ships of War shall

shall be us'd, where they shall be employ'd, who shall command the Land-Forces and who the Naval, who shall nominate to those Commands, what Instructions shall be given to those Commanders, who shall draw up those Instructions, and several other such Difficulties; by which 'tis easy to comprehend, that so many might be created that 'twould be an endless business.

'Tis very frankly affirm'd in the said Letter, that the Court of *France*, and for them the said Plenipotentiaries, had consented to all that was propos'd to them, and that they never vary'd or retracted any thing; but 'tis hard to divine wherein this Facility of theirs consisted: They never so much as consented to declare War against *Spain*, in case the Duke of *Anjou* should refuse to quit it, tho' 'twas propos'd to them: and when they were come into this Country to treat of an Equivalent for the 37th Article of the Preliminaries, after having first promis'd that they would abide by all the other Articles, they themselves propos'd a Partition to serve for an Equivalent, and reduc'd it to *Sicily* and *Sardinia*. And when they were ask'd to declare positively whether the Preliminaries would then be sign'd and executed, to the end that the Allies might declare themselves upon that Proposal of a Partition, they construed that Demand to be a Design to break off the Conferences: which is very far from that Facility which they declaim so much upon, and from consenting to every thing without any Variation or Retraction.

Doubtless the World must be astonish'd to hear, that after *France* had declar'd over and over that all the Preliminary Articles should subsist, except the 37th, and had formerly offer'd in lieu of this last mention'd, as a Security for the Execution of the abovesaid other Preliminary Points, three Towns of the *Low-Countries* in hostage, (which could not be accepted, because they would not have exempted the Allies from a separate War against *Spain*, while *France* should enjoy Peace) and afterwards for removing this last Difficulty propos'd a Partition, which they even restrain'd to *Sicily* and *Sardinia*, as a proper means for inducing the Duke of *Anjou* to restore *Spain* and the *Indies*: that after all this, *France* being summon'd to declare themselves upon the Execution of the Preliminary Points, to the end the High Allies might explain

explain themselves upon the Proposition made to them, they should interpret that Summons for a Design form'd to break off the Negotiation, as is said above.

Let the Court of *France* say that the High Allies, instead of all the Preliminaries (the 37th excepted) and the cautionary Towns in the *Netherlands* which were offer'd them, shall content themselves now with the above-said Preliminary Articles (without the 37th Article still) without the cautionary Towns; shall besides let *Sicily* and *Sardinia* be deducted, and leave the Restitution of *Spain* and the *Indies* as uncertain as before; let that Court cry this up, as if they had consented to every thing, without any Variation or Retraction; let them accuse the Allies of Injustice and Obstinacy, because they will not accept so rare a Proposition; let them not fear to invoke thereupon, with a seeming Humility, the Divine Protection; and then let them impute to the Allies the publick Calamities and the Effusion of so much Christian Blood, of which in the mean time the possessing themselves of the *Spanish* Monarchy, and the Duke of *Anjou's* still detaining what he can of it, are the grand Cause: which Calamities and Effusion of Blood they might immediately put a stop to, by restoring what they have invaded contrary to the good Faith of the most solemn Treaties. 'Tis manifest from the whole Conduct of *France* in this business, that the Proposition of a Partition, as also that of regulating previously the further Demands reserv'd in the Preliminaries, which they had advanc'd before, were made on no other view than to sow and create if possible Jealousy and Disunion among the Allies, thereby the more easily to gain their Ends; which are, as it appears clearly, to keep *Spain* and the *Indies*, notwithstanding the Restitution of them was agreed for the first Foundation of the whole Negotiation. And as those Propositions were doubtless made with no other Intention than to disunite the Allies, there are in the said Letters divers Passages (which might indeed have been expected from Enemies, but never from Persons sent to re-establish Peace) which appear to be purposely invented to make ill Impressions on the Subjects as well of *England* as of this State, against the respective Governments; as if those who were at the head of them, and the Chiefs of the Allies, were the Cause of the Continuance

tinuance of this burdensom and bloody War. But that Cause is too well understood, and too plainly prov'd, for them to hope that such study'd and odious Insinuations should make any Impression on the Minds of People who breathe the sweet Air of Liberty, who bear no Charge of War but for the Defence of that inestimable Liberty, and whose Judgment is not corrupted by long Slavery and Oppression, as is that of other Nations, to whom otherwise the Allies might with much more reason appeal, as to those who are sensible how dear the Thirst of Dominion over Neighbours costs them.

As to the six Days which the said Plenipotentiaries employ'd in drawing up their Letter, which they would pass upon us for a Mark of Sincerity, and of not amusing the Allies; it seems rather the Proof of a Resolution long form'd and kept ready to break off the Conferences. And they are in the wrong to offer to insinuate, as they do in more than one place of their Letter, that the Term of fifteen Days was prescrib'd them; for the Deputies demanded indeed that they should procure a speedy Answer, but they did not set them a time: on the contrary, being ask'd whether they would limit a time, they reply'd civilly, that they would not, and that the Conferences having lasted so long, some Days more or less would breed no difference. As to the Complaint of the Plenipotentiaries relating to their Persons, namely a pretended Contempt of their Character, the Impression and Publication of abusive Libels, the opening their Letters, the hindring the making of Visits to them, and their Lodging as if they had been in a kind of Prison; 'tis to be consider'd, that the said Plenipotentiaries, pursuant to what had been agreed, came without Character, to treat incognito and without Ceremony; and 'twas for that reason no Ceremonial was observ'd on one side or other: but all manner of Consideration was had for their Birth, Quality, and Merit; nor is it known, or can be imagin'd, upon whom their Complaints on this Subject can fall. Neither is it known what they mean by the injurious Libels they complain of, such Libels being most severely forbidden in this Country: and tho that does not hinder but here as well as elsewhere, some such may come abroad, yet the Government condemns them; and when the Authors or Printers are discover'd, they are punish'd according

cording to the Laws. We never heard, nor do we know, that of the great number of Couriers which the said Plenipotentiaries have receiv'd and dispatch'd, and by whom no doubt they receiv'd the most important of their Letters, any one was stop'd; or that the Letters they sent by the ordinary Post were intercepted. No Person was ever hinder'd from going to the Plenipotentiaries, nor was any Order given to take notice who visited them; but in all the Frontier Towns, the Custom being that none enter unless he make known who he is both at the Gate and to the Governour, it ought not to be thought strange, nor ought Exceptions to be taken, if this Custom was not discontinu'd during the stay of the Plenipotentiaries at *Gertruydenberg*. If any Persons were with-held from going to see them because they were afraid of being known, it cannot therefore be said that any were hindred from visiting them; tho certainly the Government could not be blam'd, if apprehending they would discover things which they desire to keep conceal'd, they had prevented them. Lastly, the said Plenipotentiaries cannot call a kind of Prison the Town which they agreed to make their Residence, and which they prefer'd to *Antwerp*, that large and noble City.

All these Reasons the above-mention'd Ministers of the High Allies, and the Deputies of their High Mightinesses, have thought proper to be sent to their Principals, with the Letter of the said Plenipotentiaries, and the Resolution pass'd thereon by their High Mightinesses the 23d of this Month; as also that they should be reciprocally exhorted, seeing the Enemy have thus broken off the Negotiation which was carrying on for obtaining a good and general Peace, and therefore nothing remains but to continue and push the War with Vigour, to employ each all their best Offices with their Principals, to the end that nothing that is to be done may be neglected, but rather that every one may make all possible Efforts.

Which being taken into deliberation, 'tis thought good and concluded, that all above-recited shall be communicated to the States of the respective Provinces, and that Copies of the said Letter and of the Resolution of the 23d of this Month thereupon be sent to them; and that it shall at the same time be represented to them, that since it appears by the Event that the Enemy had no sin-
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cere Intention to treat in earnest of Peace, nor to restore *Spain* and the *Indies*; but that they have broken off the Conferences, without leaving any Cause for Subject for deliberating about continuing or discontinuing them, and that there is nothing to be done therefore but to push the War vigorously, their High Mightinesses do not at all doubt, that the said Lords the States will in a cordial, patient, and unanimous manner, use all possible and imaginable means to promote the common Cause, in hopes that God will continue to bestow his Benediction thereon, and that by his Goodness and Assistance the Enemy will be reduc'd to better Sentiments.

That besides, the said *M. de Randwijck* and the other Deputies of their High Mightinesses for Foreign Affairs, shall be requir'd and commission'd, as they are by these Presents, to enter a-new into Conference with the Ministers of the High Allies, and deliberate in what manner and by what means the War may be push'd every where with more Vigour, and to make Report of all to this Assembly.

[*This agrees with the Register.*] *F. Fagel.*

Extract of Her Majesty's Instructions to the Duke of Marlborough, and the Lord Viscount Townshend, concerning the Barrier-Treaty; dated May 2. 1709.

WHEREAS by our particular Instructions to you *John Duke of Marlborough*, bearing date the 21st Day of *March 1708*, you were among other things to declare to the Pensionary of *Holland*, and such others of the States-General, as you should judge proper for our Service; That it was our Opinion, that no Negotiation of Peace should be entred upon with *France*, till the Preliminaries were first adjust'd between Us and the States-General. In pursuance of which, We did set forth several Matters of the highest Consequence to Us and our Realms, and did insist that they should be agreed

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to as Preliminaries previous to any Treaty of Peace. And at the same time, you the said *John Duke of Marlborough* were directed in our Name to represent to the Pensionary, and other Members of the States as might be proper, how desirous We were, that such farther Preliminaries should be adjusted, as should be requisite for the Security and Interest of the States; and, as far as was possible, of the rest of the Allies. And particularly, you were to propose that without loss of time a sufficient Barrier for *Holland* should be settled, for the maintaining of which, We were willing to become Guarantee; not doubting, in like manner, but that the States would be Guarantees to the Succession to the Crown of *Great Britain* in the Protestant Line. And these our Instructions having been communicated to the Pensionary, and some others of the States, and they having sent over a Project of a Treaty for the Security of the said Succession, and also for securing a sufficient Barrier for *Holland*; which We having consider'd and agreed to with such Alterations as are reasonable, We cannot doubt but they will give Satisfaction, and are firmly persuaded, that this Treaty so desirable for the mutual Interest of both Nations will be speedily concluded. You therefore the said *John Duke of Marlborough*, and *Charles Viscount Townshend*, as soon as you have receiv'd these our Instructions, are to repair with all possible diligence to the *Hague*; and upon your Arrival there, you are to communicate to the Pensionary, and such others as may be convenient and necessary, how far We have concur'd with the Project lately sent over, by agreeing to a sufficient Barrier, and providing for the Interest and Security of our own, and the Dominions of the States-General.

And for the greater Extent and Strength of the intended Barrier, you are likewise hereby directed to insist, that the Towns and Forts of *Furnes*, *Knoque*, *Ipres*, *Menin*, *Liste*, *Tournay*, *Conde*, *Valenciennes*, and *Maubeuge*, be at a Treaty of Peace yielded up, and deliver'd by *France* to *Charles the Third King of Spain*, to be garison'd in such manner, as shall be agreed on by the Treaty concerning the said Barrier, to be forthwith made and concluded between Us and the States-General.

Copy of Her Majesty's Private and Additional Instruction to the Duke of Marlborough, and the Lord Viscount Townshend; May 2. 1709.

WHEREAS it is expected, that several Towns now belonging to and in the hands of *France*, should be given up and yielded by the Treaty of Peace, to be garison'd by the Forces of the States-General for the Security of their Barrier; if therefore the Revenues of such Towns, their Dependencies and Territories so deliver'd up and garison'd, be not found sufficient to answer the necessary Expences to be made for that Service; in such case, you have liberty to consent to the adding such farther Sum or Sums, as shall be thought requisite and reasonable for that purpose, out of the Incomes and Revenues arising in general from the *Spanish Low-Countries*.

The Treaty between Her Majesty and the States-General, for securing the Succession to the Crown of Great Britain, and for settling a Barrier for the States-General against France; concluded October 29. 1709.

HER Majesty, the Queen of *Great Britain*, and the Lords the States-General of the *United Provinces*, having consider'd how much it concerns the Quiet and the Security of their Kingdoms and States, and the publick Tranquillity, to maintain and to secure on one side the Succession to the Crown of *Great Britain*, in such manner as it is now establish'd by the Laws of that Kingdom; and on the other side, That the said States-General of the *United Provinces* should have a strong and sufficient Barrier against *France*, and others, who would surprize or attack them. And her Majesty and the States-General apprehending, with just reason,
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the Troubles and the Mischiefs which may happen, in relation to this Succession, if at any time there should be any Person or any Power who should call it in question; and that the Countries and States of the said Lords the States-General, were not furnish'd with such a Barrier. For these said Reasons, her said Majesty the Queen of *Great Britain*, tho in the Vigour of her Age, and enjoying perfect Health (which may God preserve her in many Years) out of an effect of her usual Prudence and Piety, has thought fit to enter, with the Lords the States-General of the *United Provinces*, into a particular Alliance and Confederacy, the principal End and only Aim of which, shall be the publick Quiet and Tranquillity; and to prevent, by Measures taken in time, all the Events which might one day excite new Wars. It is with this View that her *British* Majesty has given her full Power to agree upon some Articles of a Treaty, in addition to the Treaties and Alliances that she has already with the Lords the States-General of the *United Provinces*, to her Ambassador Extraordinary and Plenipotentiary, *Charles Viscount Townshend*, Baron of *Lyn-Regis*, Privy-Counsellor of her *British* Majesty, Captain of her said Majesty's Yeomen of the Guard, and her Lieutenant in the County of *Norfolk*: And the Lords the States-General of the *United Provinces*, to the Sieurs *John de Welderen*, Lord of *Valburgh*, Great Bailiff of the *Lower Betuwe*, of the Body of the Nobility of the Province of *Guelder*; *Frederick Baron of Reede*, Lord of *Lier*, *St. Anthony* and *T'er Lee*, of the Order of the Nobility of the Province of *Holland* and *West-Frizeland*; *Anthony Heinsius*, Counsellor Pensionary of the Province of *Holland* and *West-Frizeland*, Keeper of the Great Seal, and Super-Intendant of the Fiefs of the same Province; *Cornelius van Gheel*, Lord of *Spanbroek Bulkesteijn*, &c. *Ge-deon Hoefst*, Canon of the Chapter of the Church of *St. Peter* at *Utrecht*, and elected Counsellor in the States of the Province of *Utrecht*; *Hessel van Sminia*, Secretary of the Chamber of Accounts of the Province of *Frizeland*; *Ernest Itersum*, Lord of *Osterhof*, of the Body of the Nobility of the Province of *Overyssel*; and *Wicher Wichers*, Senator of the City of *Groningen*; all Deputies to the Assembly of the said Lords the States-General on the part, respectively, of the Provinces of
Guelder,

Guelder, Holland, West-Frizeland, Zeeland, Utrecht, Frizeland, Overysfel, and Groninguen and Ommelands; who, by virtue of their full Powers, are agreed upon the following Articles.

I. The Treaties of Peace, Friendship, Alliance and Confederacy between her *Britannick* Majesty and the States-General of the *United Provinces*, shall be approv'd and confirm'd by the present Treaty, and shall remain in their former Force and Vigour, as if they were inserted word for word.

II. The Succession to the Crown of *England* having been settled by an Act of Parliament pass'd the twelfth Year of the Reign of his late Majesty King *William* the Third, the Title of which is, *An Act for the further Limitation of the Crown, and better Securing the Rights and Liberties of the Subject*: And lately, in the sixth Year of the Reign of her present Majesty, this Succession having been again establish'd and confirm'd by another Act made for the greater Security of her Majesty's Person and Government, and the Succession to the Crown of Great Britain, &c. in the Line of the most Serene House of *Hannover*, and in the Person of the Princess *Sophia*, and of her Heirs, Successors and Descendants, Male and Female, already born or to be born. And tho no Power has any Right to oppose the Laws made upon this Subject, by the Crown and Parliament of *Great Britain*; if it should happen nevertheless, that under any pretence, or by any cause whatever, any Person, or any Power or State may pretend to dispute the Establishment which the Parliament has made of the aforesaid Succession in the most Serene House of *Hannover*, to oppose the said Succession, to assist or favour those who may oppose it, whether directly or indirectly, by open War, or by fomenting Seditions and Conspiracies against Her or Him to whom the Crown of *Great Britain* shall descend, according to the Acts aforesaid; the *States-General* engage and promise to assist and maintain, in the said Succession, Her or Him to whom it shall belong, by virtue of the said Acts of Parliament, to assist them in taking possession, if they should not be in actual Possession, and to oppose those who would disturb them in the taking such Possession, or in the actual Possession of the aforesaid Succession.

III. Her said Majesty and the States-General, in consequence of the fifth Article of the Alliance concluded between the Emperor, the late King of *Great Britain*, and the States-General, the 7th of September 1701. will employ all their Force to recover the rest of the *Spanish Low-Countries*.

IV. And further, they will endeavour to conquer as many Towns and Forts as they can, in order to their being a Barrier and Security to the said States.

V. And whereas, according to the ninth Article of the said Alliance, it is to be agreed, amongst other matters, how and in what manner the States shall be made safe by means of this Barrier, the Queen of *Great Britain* will use her Endeavours to procure, that in the Treaty of Peace it may be agreed, that all the *Spanish Low-Countries*, and what else may be found necessary, whether conquer'd or unconquer'd Places, shall serve as a Barrier to the States.

VI. That to this end their High Mightinesses shall have the Liberty to put and keep Garison, to change, augment and diminish it as they shall judg proper, in the Places following: namely, *Newport, Furnes*, with the Fort of *Knocke, Ipres, Menin*, the Town and Citadel of *Liste, Tournay* and its Citadel, *Conde, Valenciennes*; and the Places which shall from henceforward be conquer'd from *France*; *Maubeuge, Charleroy, Namur* and its Citadel, *Liere, Hale* to fortify, the Forts of *Perle, Philippe, Damme*, the Castle of *Gand*, and *Dendermonde*: The Fort of *St. Donas* being join'd to the Fortifications of the Sluice, and being entirely incorporated with it, shall remain and be yielded in Property to the States. The Fort of *Rodenhuysen*, on this side *Gand*, shall be demolished.

VII. The said States-General may, in case of an apparent Attack, or War, put as many Troops as they shall think necessary in all the Towns, Places and Forts in the *Spanish Low-Countries*, where the Reason of War shall require it.

VIII. They may likewise send into the Towns, Forts and Places, where they shall have their Garisons, without any hindrance, and without paying any Duties, Provisions, Ammunitions of War, Arms and Artillery, Materials for the Fortifications, and all that shall be four

convenient and necessary for the said Garisons and Fortifications.

IX. The said States-General shall also have liberty to appoint in the Towns, Forts and Places of their Barrier, mention'd in the sixth Article, where they may have Garisons, such Governours and Commanders, Majors and other Officers, as they shall find proper, who shall not be subject to any other Orders, whatsoever they may be, or from whence soever they may come, relating to the Security and Military Government of the said Places, but only to those of their High Mightinesses (exclusively of all others;) still preserving the Rights and Privileges, as well Ecclesiastical as Political, of King *Charles* the Third.

X. That, besides, the said States shall have liberty to fortify the said Towns, Places and Forts which belong to them, and repair the Fortifications of them, in such manner as they shall judg necessary; and further to do whatever shall be useful for their Defence.

XI. It is agreed, That the States-General shall have all the Revenues of the Towns, Places, Jurisdictions, and their Dependencies, which they shall have for their Barrier from *France*, which were not in the possession of the Crown of *Spain* at the time of the Death of the late King *Charles* the Second; and besides, a Million of Livres shall be settled for the Payment of one hundred thousand Crowns every three months, out of the clearest Revenues of the *Spanish Low-Countries*, which the said King was then in possession of; both which are for maintaining the Garisons of the States, and for supplying the Fortifications, as also the Magazines, and other necessary Expences, in the Towns and Places above-mention'd. And that the said Revenues may be sufficient to support these Expences, Endeavours shall be used for enlarging the Dependencies and Jurisdictions aforesaid, as much as possible; and particularly for including with the Jurisdiction of *Ipres*, that of *Cassel*, and the Forest of *Niepe*; and with the Jurisdiction of *Lisle*, the Jurisdiction of *Doway*, both having been so join'd before the present War.

XII. That no Town, Fort, Place, or Country of the *Spanish Low-Countries*, shall be granted, transfer'd, or given, or descend to the Crown of *France*, or any one of the Line of *France*, neither by virtue of any Gift,

Sale, Exchange, Marriage, Agreement, Inheritance, Succession by Will, or thro want of a Will, from no Title whatsoever, nor in any other manner whatever, nor be put into the power or under the authority of the most Christian King, or any one of the Line of *France*.

XIII. And whereas the said States-General, in consequence of the ninth Article of the said Alliance, are to make a Convention or Treaty with King *Charles* the Third, for putting the States in a condition of Safety, by means of the said Barrier, the Queen of *Great Britain* will do what depends upon her, that all the foregoing Particulars, relating to the Barrier of the States, may be inserted in the aforesaid Treaty or Convention; and that her said Majesty will continue her good Offices, till the above-mention'd Convention, between the States and the said King *Charles* the Third, be concluded, agreeably to what is before-mention'd; and that her Majesty will be Guarantee of the said Treaty or Convention.

XIV. And that the said States may enjoy from henceforward, as much as possible, a Barrier for the *Spanish Low-Countries*, they shall be permitted to put their Garrisons in the Towns already taken, and which may hereafter be so, before the Peace be concluded and ratify'd. And in the mean time the said King *Charles* the Third shall not be allow'd to enter into Possession of the said *Spanish Low-Countries*, neither entirely nor in part; and during that time the Queen shall assist their High Mightinesses to maintain them in the Enjoyment of the Revenues, and to find the Million of Livres a Year above-mention'd.

XV. And whereas their High Mightinesses have stipulated by the Treaty of *Munster*, in the fourteenth Article, That the River *Schelde*, as also the Canals of *Saeyn*, and other Mouths of the Sea bordering thereupon, should be kept shut on the side of the States:

And in the fifteenth Article, That the Ships and Commodities going in and coming out of the Harbours of *Flanders*, shall be and remain charg'd with all such Imposts and other Duties, as are rais'd upon Commodities going and coming along the *Schelde*, and the other Canals above-mention'd:

The Queen of *Great Britain* promises and engages That their High Mightinesses shall never be disturb

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their Right and Possession, in that respect, neither directly nor indirectly; as also that the Commerce shall not, in prejudice of the said Treaty, be made more easy by the Sea-Ports than by the Rivers, Canals and Mouths of the Sea, on the side of the States of the *United Provinces*, neither directly nor indirectly.

And whereas by the 16th and 17th Articles of the same Treaty of *Munster*, his Majesty the King of *Spain* is oblig'd to treat the Subjects of their High Mightinesses as favourably as the Subjects of *Great Britain* and the *Hanse Towns*, who were then the People the most favourably treated; her *Britannick* Majesty and their High Mightinesses promise likewise to take care that the Subjects of *Great Britain*, and of their High Mightinesses, shall be treated in the *Spanish Low-Countries*, as well as in all *Spain*, the Kingdoms and States belonging to it, equally, and as well the one as the other, as favourably as the People the most favour'd.

XVI. The said Queen and States-General oblige themselves to furnish, by Sea and Land, the Succours and Assistance necessary to maintain by force her said Majesty in the quiet possession of her Kingdoms; and the most serene House of *Hannover* in the said Succession, in the manner it is settled by the Acts of Parliament before-mention'd; and to maintain the said States-General in the possession of the said Barrier.

XVII. After the Ratifications of this Treaty, a particular Convention shall be made of the Conditions by which the said Queen and the said Lords the States-General will engage themselves to furnish the Succours which shall be thought necessary, as well by Sea as Land.

XVIII. If her *British* Majesty, or the States-General of the *United Provinces*, be attack'd by any body whatsoever, by reason of this Convention; they shall mutually assist one another with all their Forces, and become Guarantees of the Execution of the said Convention.

XIX. There shall be invited and admitted into the present Treaty, as soon as possible, all the Kings, Princes and States, who shall be willing to enter into the same; particularly his Imperial Majesty, the Kings of *Spain* and *Prussia*, and the Elector of *Hannover*. And her *British* Majesty, and the States-General of the *United Provinces*,

The Separate Article.

AS in the Preliminary Articles sign'd here at the *Hague*, the 28th of *May* 1709, by the Plenipotentiaries of his Imperial Majesty, of her Majesty the Queen of *Great Britain*, and of the Lords the States-General of the *United Provinces*; it is stipulated, amongst other things, That the Lords the States-General shall have, with entire Property and Sovereignty, the Upper Quarter of *Guelder*, according to the fifty second Article of the Treaty of *Munster* of the Year 1648. as also that the Garisons which are or hereafter shall be on the part of the Lords the States-General in the Town of *Huy*, the Citadel of *Liege*, and in the Town of *Bonne*, shall remain there, till it shall be otherwise agreed upon with his Imperial Majesty and the Empire. And as the Barrier which is this day agreed upon in the principal Treaty, for the mutual Guaranty between her *British* Majesty and the Lords the States-General, cannot give to the *United Provinces* the Safety for which it is establish'd, unless it be well secur'd from one end to the other, and that the Communication of it be well join'd together; for which the Upper Quarter of *Guelder*, and the Garisons in the Citadel of *Liege*, *Huy* and *Bonne* are absolutely necessary: Experience having thrice shewn, that *France* having a design to attack the *United Provinces*, has made use of the Places above-mention'd in order to come at them, and to penetrate into the said Provinces. That further, in respect to the Equivalent for which the Upper Quarter of *Guelder* is to be yielded to the *United Provinces*, according to the fifty second Article of the Treaty of *Munster* above-mention'd, his Majesty King *Charles* the Third will be much more gratify'd and advantag'd in other Places, than that Equivalent can avail. So that to the end the Lords the States-General may have the Upper Quarter of *Guelder*, with intire Property and Sovereignty, and that the said Upper Quarter of *Guelder* may be yielded in this manner to the said Lords the States-General, in the Convention, or the Treaty that they are to make with his Majesty King *Charles* the Third, according to the thirteenth Article of the Treaty

concluded this day; as also that their Garisons in the Citadel of *Liege*, in that of *Huy* and in *Bonne*, may remain there, until it be otherwise agreed upon with his Imperial Majesty and the Empire; her Majesty the Queen of *Great Britain* engages herself and promises by this separate Article, which shall have the same force as if it was inserted in the principal Treaty, to make the same Efforts for all this, as she has engag'd herself to make for their obtaining the Barrier in the *Spanish Low-Countries*. In Testimony whereof the underwritten Ambassador Extraordinary and Plenipotentiary of her *British* Majesty, and Deputies of the Lords the States-General, have sign'd the present separate Article, and have affix'd their Seals thereunto. *At the Hague, the 29th of October, 1709.*

(L. S.) *Townshend.*(L. S.) *J. V. Welderen.*(L. S.) *J. B. van Reede.*(L. S.) *A. Heinsius.*(L. S.) *G. Hoefst.*(L. S.) *H. Sminia.*(L. S.) *E. V. Ittersum.*(L. S.) *W. Wichers.*

The Second Separate Article.

AS the Lords the States-General have represented, That in *Flanders* the Limits between *Spanish Flanders* and that of the States are settled in such a manner, as that the Land belonging to the States is extremely narrow there; so that in some places the Territory of *Spanish Flanders* extends it self to the Fortifications, and under the Cannon of the Places, Towns, and Forts of the States, which occasions many Inconveniencies, as has been seen by an Example a little before the beginning of the present War, when a Fort was design'd to have been built under the Cannon of the *Sas van Ghent*, under pretence that it was upon the Territory of *Spain*: And as it is necessary for avoiding these and other sorts of Inconveniencies, that the Land of the States upon the Confines of *Flanders* should be enlarg'd, and that the Places, Towns and Forts should by that means be better cover'd;

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her *British* Majesty entering into the just Motives of the said Lords the States-General in this respect, promises and engages herself by this separate Article, That in the Convention that the said Lords the States-General are to make with his Majesty King *Charles* the Third, she will so assist them, as that it may be agreed, that by the Cession to the said Lords the States-General of the Property of an Extent of Land necessary to obviate such-like and other Inconveniences, their Limits in *Flanders* shall be enlarg'd more conveniently for their Security, and those of the *Spanish Flanders* remov'd farther from their Towns, Places and Forts, to the end that these may not be so expos'd any more. In Testimony whereof, the underwritten Ambassador Extraordinary and Plenipotentiary of her *British* Majesty, and Deputies of the Lords the States-General, have sign'd the present Separate Article, and have affix'd their Seals thereunto. *At the Hague, the 29th of October 1709.*

(L. S.) *Townshend.*

(L. S.) *J. B. van Reede.*

(L. S.) *A. Heinsius.*

(L. S.) *G. Hoefst.*

(L. S.) *H. Sminia.*

(L. S.) *E. V. Itersum.*

The Articles of the Counter-Project, which were struck out or alter'd by the Dutch, in the Barrier-Treaty.

Article VI. **T**O this end, their High Mightinesses shall have Power to put and keep Garisons in the following Places, viz. *Newport, Knoque, Menin*, the Citadel of *Liste, Tournay, Conde, Valenciennes, Namur* and its Citadel, *Liere, Hale* to fortify, the Fort of *Perle, Damme*, and the Castle of *Gand*.

Art. VII. The said States may put into the said Towns, Forts and Places, and in case of open War with *France*, into all the other Towns, Places and Forts, whatever Troops the Reason of War shall require.

Art. IX. Besides some smaller Differences, ends with a Salvo, not only for the Ecclesiastical and Civil Rights of the King of Spain, but likewise for his Revenues in the said Towns; which Revenues, in the Barrier-Treaty, are all given to the States.

Art. XI. The Revenues of the Chattellanies and Dependencies of the Towns and Places, which the States shall have for their Barrier against France, and which were not in possession of the Crown of Spain at the late King of Spain's Death, shall be settled to be a Fund for maintaining Garisons, and providing for the Fortifications and Magazines, and other necessary Charges of the said Towns of the Barrier.

Art. XIV. All this is to be without prejudice to such other Treaties and Conventions, as the Queen of Great Britain and their High Mightinesses may think fit to make for the future with the said King Charles the Third, relating to the said Spanish Netherlands, or to the said Barrier.

Art. XV. And to the end that the said States may enjoy, at present, as much as it is possible, a Barrier in the Spanish Netherlands, they shall be permitted to put their Garisons in the chief Towns already taken, or that may be taken, before a Peace be made.

Art. XX. And whereas by the fifth and ninth Articles of the Alliance between the Emperor, the late King of Great Britain, and the States-General, concluded the 7th of September 1701. it is agreed and stipulated, That the Kingdoms of Naples and Sicily, with all the Dependencies of the Crown of Spain in Italy, shall be recover'd from the Possession of France, as being of the last Consequence to the Trade of both Nations, as well as the Spanish Netherlands, for a Barrier for the States-General; therefore the said Queen of Great Britain, and the States-General, agree and oblige themselves, not to enter into any Negotiation or Treaty of Peace with France, before the Restitution of the said Kingdoms of Naples and Sicily, with all the Dependencies of the Crown of Spain in Italy, as well as the Spanish Low-Countries, with the other Towns and Places in the Possession of France, above-mention'd in this Treaty; and also after the manner specify'd in this Treaty: as likewise all the rest of the entire

tire Monarchy of *Spain*, be yielded by *France* as a Preliminary.

Art. XXII. And whereas Experience hath shewn of what Importance it is to *Great Britain* and the *United Provinces*, that the Fortrefs and Port of *Dunkirk* should not be in the Possession of *France*, in the Condition they are at present; the Subjects of both Nations having undergone such great Losses, and suffer'd so much in their Trade, by the Prizes taken from them by Privateers set out in that Port; insomuch that *France*, by her unmeasurable Ambition, may be always tempted to make some Enterprizes upon the Territories of the Queen of *Great Britain* and their High Mightinesses, and interrupt the publick Repose and Tranquillity; for the Preservation of which, and the Ballance of *Europe* against the exorbitant Power of *France*, the Allies engag'd themselves in this long and burdenson War: therefore the said Queen of *Great Britain* and their High Mightinesses agree and oblige themselves, not to enter into any Negotiation or Treaty of Peace with *France*, before it shall be yielded and stipulated by *France* as a Preliminary, that all the Fortifications of the said Town of *Dunkirk*, and the Forts that depend upon it, be entirely demolish'd and raz'd, and that the Port be entirely ruin'd, and render'd impracticable.

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A MEMORIAL deliver'd to one of Her Majesty's Principal Secretaries of State, by his Excellency the Baron de Bothmar, Envoy Extraordinary from his Electoral Highness of Hannover.

HIS Electoral Highness of *Brunswick-Lunenbourg*, having sent back his underwritten Minister of State and of his Privy Council, the *Baron de Bothmar*, to the Court of the *Queen of Great Britain*, has principally order'd him most humbly to thank her Majesty for the Honour she has done him in communicating to him what has lately pass'd touching the Negotiation of Peace, by a Person of such Distinction and Trust as the *Earl Rivers*, and for the new Proof of the Honour of her Friendship, which on this occasion She has been pleas'd to give him and his most serene Family by her generous Cares for its Interests.

His Electoral Highness refers himself particularly to the Sentiments which he declar'd to my *Lord Rivers*, and to the Answer which he caus'd to be given to him in Writing on his Propositions. He thinks he should be wanting to the Respect due to the Confidence with which her Majesty has honour'd him, if he should not answer it with that Sincerity which She has reason to expect from her most true and most zealous Servant and Friend, who is more concern'd for her Glory and Interest than any Person in the world. He hopes her Majesty will do him the Honour to accept in that Sense and in that Intention, as well what he has taken the liberty to cause to be reported to her of his Sentiments by the *abovesaid Lord Rivers*, as what he has order'd his underwritten Minister to represent further to her Majesty's Ministers.

The Sentiments of his Electoral Highness on the Peace and on its Negotiation, are: That the Allies have need not only of positive Declarations, but likewise of real
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Securities, especially having to do with an Enemy whose Methods of acting are well known. This the former Preliminaries provided for, by obliging *France* to give up previously some Places of Security. In these there is neither any real Security, nor any clear and distinct Declaration. All is couched in indefinite general Terms, which in reality express nothing, and upon which Years might be spent in negotiating. 'Tis left to be consider'd, which is the surest way to put a speedy end to the War, whether by previously insisting on such Conditions from *France*, that nothing may remain to be done in a general Assembly but to give them the Form of a Treaty, or to open that Assembly upon Articles that are captious and obscure, which leave an open Field for *France* to put in practice her usual Intrigues and Chicanes.

Nothing but a perfect Union between the Allies while the general Peace shall be treating, and the mutual Guaranty they shall give each other upon what shall therein be concluded, can secure them for the future. Without this, all *Europe* will fall into Confusion, and sooner or later into Slavery, especially if *Spain* and the *Indies* be left in the Possession of a Prince of the House of *Bourbon*. We cannot flatter our selves, that after a Peace concluded even in this manner, *Great Britain* can be in safety, and maintain it self in a quiet and flourishing Condition, unless it continue with the States-General and the other Allies in an Union that may defend all of them together against the Enterprizes of *France*. All their Forces united have hardly been sufficient to save them; whence it may be judg'd what would happen if that Crown should have the fortune to divide them, and what it would be able to put in execution after having taken breath some Years, and reinforc'd it self by *Spain* and by the Riches of the *Indies*. 'Tis not doubted therefore, that her *Britannick* Majesty proposes to act in this whole Affair jointly and in concert with her Allies, conformably to the Assurances which she has given them. But to banish all Distrust, it would be necessary that there shall be no secret Negotiation, which might give ground for Suspicion that one or other of the Allies might make their own Treaty separately.

All the Allies will gladly concur to conclude the Peace, provided they may have their Security in it; there not
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being any one among them who is not weary of the Expence and Inconveniences of the War, or would be willing to continue it when it shall cease to be necessary. Further, not one of them but would take pleasure to contribute with all his Power to obtain for *Great Britain* such Conditions and Advantages as it can demand from *France*. His Electoral Highness in particular will take it on him as a Duty to employ all the Means conducing thereto which can be desir'd of him : Nothing in nature being more just, after the many great things which her *Britannick* Majesty has done, with her triumphant Nation, for the Common Cause, from the Beginning of her glorious Reign. And this Way appears to his Electoral Highness to be more sure for procuring this End, and for preserving such Advantages, than if *Great Britain* should endeavour it, without the Concurrence of the Allies, by a separate Negotiation. Nor could any thing be more advantageous to *France*, than if by her Dexterity she could dazle the Eyes of one of the Maritime Powers, so as to induce such Power to accept of some Advantages so much to the Prejudice of the other, that the Jealousy thence arising might become an Obstacle to their Union for the future : which Union constituting their reciprocal Security, is look'd upon by *France* as the grand Hindrance of its vast Designs.

His Electoral Highness can answer for it, that the Imperial Court never form'd the Design imputed to them of entring with *France* into a secret Negotiation to the Prejudice of the Interests of *Great Britain* : But for removing all cause of Umbrage on that account, as well with respect to the Emperor as to the States-General of the United Provinces, new Engagements may be entred into with those two Potentates ; and it may be firmly depended on, that they will make no difficulty to promise the Queen, in the most binding and most solemn manner, never to enter into any Negotiation with the common Enemy, nor ever to receive any Offer or Proposition from him, without her Majesty's Participation, and without taking common Measures in concert with Her. It has been alledg'd, that the Imperial Court will make no difficulty to renounce *Spain* and the *Indies*, provided the Dominions in *Italy* and in the *Netherlands* be given them : But upon this 'tis but just to hear the Mind of

of the new Emperor, who 'tis known has intirely at heart the Affairs of *Spain*.

'Tis easy to see the pernicious Consequences which there would be ground to apprehend if *Spain* and the *Indies* were left to the Duke of *Anjou*. Her Majesty herself has deliver'd her own Opinion clearly upon it in her Speech at the opening of the very last Session of her Parliament, recommending the War in *Spain* as that which most particularly concern'd the *British* Nation, who will in no wise find amends for it by the Trade to the *South-Sea* with which they are flatter'd; which Trade if given them in reality (as may justly be doubted it will not) would however be but precarious, and last no longer than *France* and *Spain* should please to permit.

Those two Crowns cannot in that case be consider'd otherwise than as one Potentate: All the World knows, that 'tis *France* which governs the *Spaniards* in their Councils, in their Finances, in their military Affairs, and even carries on their Commerce with the *Indies* by her Ships: *France* has already made herself so much the Mistress of all these, that if the *Spaniards* would re-assume their Independance, either after the Peace, or after the Death of the present King of *France*, 'tis no longer in their power; nor can any Treaty be of Force sufficient to oblige *France* effectually to quit these Advantages. Besides, 'tis to be consider'd, that if the Descendants of the Duke of *Anjou*, or the Male Line of the Dauphin his Brother, should sooner or later come to fail, those two Crowns would be absolutely united under one Head: No Treaty, no Renunciation could be strong enough to hinder that Union in such a Case; of which the Renunciation made at the Peace of the *Pyrenees*, and the Treaty of Partition, are, among many other Examples, Evidence sufficient. 'Tis very certain likewise, that the King of *France*, who notwithstanding the Peace and his Engagements with King *William* III. of Glorious Memory, acknowledg'd in his Life-time another for King of *England*, as soon as he thought himself by his Grandson Master of *Spain*, will no sooner see this Grandson of his settled on that Throne, but he will endeavour also to place his Creature upon that of *Great Britain*, and will accomplish it, having augmented his Power with that of *Spain*, and his Riches by those of the *Indies*.

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'Tis easy to foresee the Danger the Queen's Person would then be in, and what would become then of the Liberty of *Great Britain*, under a Master educated in the Maxims of *France*, and in hatred to the best *Englishmen*, who have abjured him according to Law : There would then in consequence be an end of the Liberty of all *Europe*, and of the *Protestant Religion*, by a League founded in Obligation, Necessity, and Gratitude, between three Kings of an opposite Religion, and of so great Power by Sea and Land, under the Direction of that of *France*. These are Consequences in which his Electoral Highness is too nearly interested and concern'd, to look upon them with Indifference.

As to the Barrier in the *Spanish Netherlands*, it cannot be said that the Security of the United Provinces only is concern'd in it : On the contrary, it is full as much the Concern of *Great Britain*, which would find it self in no less danger than the said Republick, if *France* become Mistress of the *Spanish Netherlands*. This Truth has at all times been acknowledg'd by the *English*, even in the Reign of *Charles II.* who notwithstanding his close Engagements with that Crown, would not suffer it to conquer them. So that the Barrier, which excludes that dangerous Enemy from the *Netherlands*, is the common Interest of the two Maritime Potentates, as well as of the Empire of *Germany*; and besides, *Great Britain* has at present in lieu of her Guaranty of that Barrier, a reciprocal Guaranty for the Protestant Succession.

Whatever be done, and whether the Assembly for Peace be forthwith open'd, or defer'd to another time, that is to say, till *France* has made more satisfactory Declarations, his Electoral Highness thinks that it is absolutely necessary, not to be any way remiss in the Preparations for the ensuing Campaign; there being no hope of obtaining good Conditions of Peace, but by getting into a posture to pursue the War vigorously, and begin the Campaign early with considerable Forces, seeing *France* on her part is already making great Preparations for it. 'Tis with regard to this, that his Electoral Highness will not make use of the Permission which her Majesty has had the Goodness to grant him, in so friendly a manner, of taking this Winter some of his Regiments of Dragoons home to his own Country, having resolv'd to
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leave them all in the *Netherlands*: Notwithstanding which, his Electoral Highness will bear the same Acknowledgment to her Majesty, as if he had actually made use of her said Permission. 'Tis not to be doubted, the Emperor will make much greater Efforts than formerly, and that the States-General will furnish what they are oblig'd to by the Treaties; his Imperial Majesty being ready to concert new Agreements thereupon with her *Britannick* Majesty. But above all, it will be essentially necessary to avoid the Snare of a Cessation of Arms, which 'tis very probable *France* will propose, as soon as the Assembly for Peace shall be open'd; which Cessation, keeping the Maritime Potentates in the Necessity of making the same Efforts, and the same Expence for the War, for maintaining the same Fleets and the same Armies, will deprive them of the means of making use of them, and stop the Progress of their glorious Arms.

There is ground to hope, that by remaining firmly united, the Allies may soon oblige *France* (with the Blessing of God) to agree to reasonable Conditions; the extreme Indigence that Crown is in, and the Need she has of Peace, being very certain and confirm'd from all Parts. The Almighty has blessed the Arms of the Queen and of her Allies with so many Triumphs over their powerful Enemy, to the end they may secure themselves by a safe and advantageous Peace, from all they have to fear from him; and it cannot be his Pleasure that an Enemy so exhausted, and vanquish'd as he has been on all Occasions, should at last carry his Designs by this War, and get out of it by a Peace, glorious to him, to the Ruin of the Victorious Allies, and to the Destruction of the Liberty of all *Europe*; in acquiring by this Peace, the Power of giving a King to *Spain*, of imposing one upon *Great Britain*, and of making the Validity of the Election of the Head of the Empire depend on his Approbation.

Done at London the

28th of November, 1711.

9th of December,

The Baron de Bothmar.

The Resolutions and Memorial of the States-General, with respect to their furnishing their Quotas or Contingents during the present War.

An Extract from the Register of the Resolution of their High Mightinesses the Lords the States-General of the United Provinces of the Netherlands.

Friday, April 1. 1712.

MESSEURS de Brockhuysen and other Deputies of their High Mightinesses for foreign Affairs (who in pursuance and execution of the Commissorial Resolution of the 12th past, examin'd, together with some of the Deputies of the Council of State, the Letter of M. van Borselle, Envoy Extraordinary from their High Mightinesses to the Court of her Majesty the Queen of Great Britain, writ the 8th of the last Month, containing an Account of the Resolutions taken by the House of Commons of the Parliament of Great Britain, for continuing in the Netherlands this Year 1712. 1. The 40000 Men sent thither by her Majesty at the Beginning of the War. 2. The 10000 Troops of Augmentation which were agreed upon in 1703. and the 15178 Men which have been engag'd in her Majesty's Service since the Year 1703. but the latter on condition that the State should on her part maintain as many Troops in proportion as Three to Two) have reported to the Assembly,

That while they were examining the above-mention'd Letter, they were inform'd that the Earl of Strafford, Ambassador Extraordinary and Plenipotentiary of her said Majesty, had the day before his going to Utrecht, which was Monday last, insinuated to some Persons, that he had receiv'd Orders by Mr. St. John, Secretary of State, to declare to their High Mightinesses, that they must make good their Quota of three Fifths in proportion to the above-mention'd 15178 Men; otherwise her Majesty would cashier as many as was necessary to make just two Fifths to answer three Fifths, in proportion to the Number of Troops which the State furnishes in the Netherlands to answer the said 15178 Men: which Insinuation was founded on this Supposition, That at the Beginning of the War the States had consented to furnish in the Netherlands 102000 Men, viz. 42000 for Garisons, and 60000 for the Field; and that Great Britain on her part was not oblig'd to furnish

furnish more than 40000 Men in the *Netherlands*. Since which the Troops were augmented in 1703. by 20000 Men, that were to be paid half by *Great Britain* and half by the States. But as to the 15178 Men furnish'd by her Majesty of *Great Britain* since 1703. the first Proportion of 60000 Men to 40000, or of three Fifths to two Fifths, was to be observ'd.

That on this Occasion, they the said Deputies had also examin'd the Votes or Resolutions of the House of Commons of the Parliament of *Great Britain* of the 16th of February this Year, *N. S.* by which they charge this *State* with not having satisfy'd its Engagements in divers respects, as to the Troops which they were oblig'd to furnish according to their Quota for the War. And that they had examin'd the Address presented to her Majesty on this head; which Address, as well as the said Votes, have been printed and publish'd every where.

That to demonstrate how little ground there is either for the said Supposition, or for the Deficiency which the said Resolutions and Address charge upon the *State*, they have drawn up a Memorial, which they have at the same time laid before the Assembly, as it is here insert'd at the end of these Presents.

Upon which the *States* having deliberated, it was judg'd fit and resolv'd that they would send to the *Sieur de Borjelle*, Envoy Extraordinary of their High Mightinesses to the Court of her Majesty the Queen of *Great Britain*, a Copy of the said Memorial, and of the Pieces hereunto join'd; and that he shall be order'd to represent both *viva voce*, and by Writing, to her said Majesty, and otherwise where it might be useful, that the Insinuation of the said Earl of *Strafford*, importing that the *States* must furnish what is wanting of their three Fifths to answer the said 15178 Men, or otherwise her Majesty would lessen the Number of hers to the proportion of two Fifths to those of this *State*, has very much troubled them; and that likewise in their Judgment it is not well founded, since on the one hand it can't be reasonably demanded of the *State*, which already bears so much Burden, that they should augment their Troops; and that on the other hand, the Good of the Common Cause will not permit that her Majesty should lessen hers in the present Conjunction.

That the Supposition above-mention'd, upon which this Insinuation is founded, cannot be admitted by their High Mightinesses; and even tho' it were, all the difference would then be no more than that the *State* had 4303 Men too few, or that her Majesty had too many in the *Netherlands*. As to this, it would certainly be just to consider, and to account for the Augmentation of the Troops which this *State* made at the beginning of this War, before *Great Britain* made any considerable Augmentation on her part, as well as those which the

State has maintain'd over and above the 102000 Men, as shewn by the above-mention'd Memorial. That for these Reasons the *Sieur van Borsselle* shall request her Majesty not to demand of the State to augment their Troops, nor yet to diminish the Number of her own.

That further, the said *Sieur van Borsselle* shall represent on this occasion to her Majesty, that their High Mightinesses are very much griev'd, to find that by the said Votes and Address, publickly printed and dispers'd thro the World, they are condemn'd without being heard, as if they had not fulfill'd their Engagements, nor contributed as much as they ought, in proportion to her Majesty, towards the Charge of the War.

That their High Mightinesses, to clear themselves of this Charge, and to inform her Majesty of the Reasons which persuade them that they are wrongfully charg'd, have order'd him to present the said Memorial to her Majesty; and to add, that if her Majesty (as they hope she will) would make an equitable and favourable Reflection upon the Efforts which this State has made and continues to make in this present War, after having already gone thro two others extremely burdensome; and if she would duly consider that they begun this with 110000 Men, so great an Effort as they never made the like before; that further, from time to time they have considerably augmented the Number of their Troops, to which must be added the Consideration of the Subsidies which they annually pay, and the Naval Equipments they make; their High Mightinesses assure themselves, that not only her Majesty according to her well-known Equity, but also the whole World must necessarily be convinc'd that the State in this present War has done as much and more than could have been expected in Reason and Justice of a good and faithful Ally, and that nothing but an excess of Love for their Liberty and for their Religion, and an ardent Zeal to assist in warding off that Slavery with which all Europe is threatned, could have induc'd them to make such great Efforts; and to continue them so long. That they return Thanks to God, who by his Goodness has so bless'd the Efforts they have made in conjunction with her Majesty and their other Allies, that by comparing the present State of Affairs with what they were at the Beginning of the War, we may find a very happy Change. So that to lay a just Foundation of Hope that by a good Peace we may obtain the End desir'd, there seems nothing to be wanting but the Preservation among the Allies of that same Firmness, Union and Vigour, with which the War was begun, and has been hitherto continu'd.

That their High Mightinesses have always consider'd a good Harmony betwixt her Majesty and this State, betwixt their Subjects on both sides, as the strongest Support

port to the Common Cause; that they are still of the same Opinion, and believe this Union to be more necessary now than ever. That they have always carefully endeavour'd, and will endeavour for time to come, to preserve her Majesty's Affection and Friendship, and to cultivate and increase the said Union and good Understanding betwixt the two Nations: That there is nothing more grievous to them than to be oblig'd to justify themselves against Censures so little deserv'd, considering that hereby the Enemy, to whom a Union betwixt her Majesty and the States must be formidable, may conceive hopes of a Coldness and Division betwixt the Allies so strictly united, which cannot fail of being prejudicial to both.

That therefore their High Mightinesses with this Stone of Stumbling had never been laid in the way, and that it may be remov'd as soon as possible. That they hope, chiefly from her Majesty's great Equity and from her well-known Zeal for the Common Cause, that she will not tack the Continuation of the Service of her Troops in the *Netherlands*, and particularly of the said 15178 Men, to the Augmentation of those of this State.

That their High Mightinesses on their side will always contribute as much as lies in their power or depends upon them, not only to advance as formerly the Welfare of the Common Cause, but also to concert with all possible Confidence in her Majesty the necessary Measures for that end; and to satisfy her Majesty by real Effects, that they desire and infinitely esteem her Affection and Friendship, of which the *Sieur van Borsselle* shall give her Majesty the strongest Assurances.

There shall also be deliver'd a Copy of the present Resolution of their High Mightinesses, and one of the abovesaid Memorial to the Earl of *Strafford*, Ambassador Extraordinary, &c. of her Majesty; and his Lordship shall be desir'd to second the good Intentions of their High Mightinesses by his good Offices,

Mark'd, *H. van Iffelmundent.*

And a little lower,

This agrees with the said Register,

Sign'd, *J. Fagel.*

The MEMORIAL,

THE Resolutions, or Votes, above-mention'd, are dated Tuesday the 1st of February, 1711, and conceiv'd in these Terms.

Resolved, That the States-General have been deficient in their Quota's for Sea-Service, in proportion to the Number of Ships provided

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by her Majesty, some Tears two Thirds, and generally more than half of their Quota.

Resolved, That the Forces supply'd and paid by her Majesty for the carrying on the War in Spain from the Year 1705, to the Year 1711 inclusive, amounted to Fifty seven Thousand Nine Hundred Seventy three Men, besides thirteen Battalions and eighteen Squadrons, for which her Majesty has paid a Subsidy to the Emperor.

Resolved, That the Forces supply'd by the States-General for the Service in Spain, from the Year 1705, to the Year 1708, both inclusive, have amounted to no more than Twelve thousand and two hundred Men; and that from the Year 1708, to this present time, they have sent thither no Forces at all.

Resolved, That her Majesty has not only furnish'd her Proportion of Twelve thousand Men, according to the Treaty enter'd into for the Service of the War in Portugal, but has taken upon her the Emperor's Proportion, by furnishing two Thirds, when the States-General only furnish'd one Third for that Service.

Resolved, That since the Year 1706, when the English and Dutch march'd into Castile, and return'd no more into Portugal, her Majesty has replaced more than her share, according to her Proportion, and the States-General have not had any Troops in Portugal.

Resolved, That the first Proportion of three Fifths, or two Fifths, agreed upon between his late Majesty King William and the States-General, for the Service of the War in Flanders, has not been observ'd by the States-General.

Resolved, That the States-General, during the Course of the War, have furnish'd less than their Proportion in Flanders, Twenty thousand eight hundred thirty seven Men.

Resolved, That the Condition for prohibiting all Trade and Correspondence between Holland and France, on which the Troops of Augmentation were granted in 1703, and afterwards continu'd, has not been observ'd by the States-General.

Resolved, That at the Beginning of this War, the Subsidies were paid in equal proportions by her Majesty and the States-General, but her Majesty has since paid more than her Proportion, Three Millions one hundred fifty thousand Crowns.

These Resolutions, or Votes, of the House of Commons, are thus drawn up in form of Decisions, as a Charge against the States-General, who have the honour to live with her Majesty of Great Britain in a full and perfect Amity, and to be engag'd with her in the strictest Alliances. Besides, this is done at a time when an Union and Harmony betwixt Great Britain and the States of the United Provinces is more necessary than ever, to obtain a safe and honourable Peace. They are also follow'd by an Address that was presented to her Majesty, which having been printed and publish'd, as well as their Votes or Resolutions, must without doubt very much surprize those

those who have but the least knowledge of the great and extraordinary Efforts the States have made in this War, for the Support and Advancement of the Common Cause, and consider of what consequence those Efforts have been to the said Cause.

But tho it be impossible that the said Resolutions and Address should fail of making a disadvantageous Impression of the *State* upon those who have not an exact knowledge of Affairs, yet they must lose very much of their Force, when it is consider'd that the Resolutions and Address were form'd, and the States-General so positively condemn'd by them, without having any opportunity directly or indirectly to make known what they had to say on this Subject, or the least knowledge of the Estimates, or Lists upon which those Votes were founded; in short, without having any way left them to remove, by Explanations and necessary Informations, the Prejudices that the House seems to have entertain'd against their Conduct: which certainly is not consistent with the Rules of Equity and Friendship.

But as we have receiv'd, since those Resolutions were form'd, a Copy from private Hands, of the Estimates laid before the House, which probably gave occasion to the said Resolves; and being thereby in some measure inform'd of the grounds on which they were founded, we are in a condition to make some Remarks upon them, which we believe will be sufficient to take off all the bad Impressions which may have been given of the Conduct of the States-General, and to justify them entirely as to the Charge against them in the above-mention'd Votes and Address thereupon presented to the Queen: Our Remarks may be conveniently divided into four Heads, according to the Estimates or Lists laid before the Commons, and according to the Order observ'd in their Address, wherein they advance that the *State* has not answer'd their Quota of the Charge of the War in proportion to what has been done by her *British* Majesty, viz.

- I. In the Charge of the Sea-Service.
- II. In the Number of Troops in *Flanders*.
- III. For the Service of *Spain* and *Portugal*.
- IV. In the Subsidies.

Before we enter upon the Discussion of each of these Heads, it is necessary to lay down as a Foundation, That after the King of *France* had seiz'd the whole *Spanish* Monarchy for his Grandson, and by taking possession of the *Spanish* Netherlands had wrested from this *State* her Barrier, and that he had acknowledg'd the pretended Prince of *Wales* for King of *Great Britain*, all *Europe* finding themselves threatned with intolerable

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Slavery, his Majesty the late King of *Great Britain* and their High Mightinesses, were oblig'd in 1702. for several known and lawful Reasons, but chiefly for the Defence of their own Liberty and that of their High Allies, to take up Arms with them, and enter into a War against *France*. That the Alliances, and particularly that of the 3d of *March*, 1674. made with the late King *Charles II.* that of the 11th of *November*, 1701. made with the late King *William III.* that of the 9th of *June*, 1703. by which the two preceding ones are confirm'd and renew'd, and which was concluded with her present Majesty; and lastly, the Treaty of the Grand Alliance, made the 7th of *September*, 1701. oblige her Majesty and the States-General, and every one in particular, to employ all their Force by Sea and Land, in order to obtain the End which was propos'd in making the said Alliances, without stipulating either in them or in any other Treaties now in being or subsisting, any fix'd Proportion, according to which each of the High Allies of *Great Britain* and the *State* should carry on the War, and regulate their Efforts.

'Tis true, that by the fourth Article of the Grand Alliance, and by the eighth of that between the *State* and *Great Britain*, both made in the Year 1701. it was thought proper that some Number of Forces should be mention'd; but afterwards this Agreement was drop'd without being put in execution, either because it was found to be attended with too many Difficulties, or that it was reckon'd superfluous; because all the Alliances imported, that each of the Confederates should make War with all their Forces by Sea and Land, and that 'twas believ'd they might rely upon one another's Fidelity.

The Foundation thus laid, *viz.* That according to the Alliances *Great Britain* and this *State* are oblig'd each to employ all their Force in the War against the common Enemy, and that the Quantum which each ought to furnish, is not determin'd neither by the said Alliment, nor by any Agreement and particular Convention; it follows necessarily and incontestably, that the only Rule of this Quantum ought to be the Power of each; and that no other Proportion between *Great Britain* and this *State* ought to be enquir'd into or alledg'd, than that of their Ability: but that which soever of these two Potentates can prove, according to that general Proportion, or absolutely without making any Comparison, that it has employ'd all its Force in the present War, for the Advancement of the Common Cause, the said Potentate must be allow'd to have satisfy'd all its Engagements, and cannot be charg'd to have been deficient therein.

Now 'tis evident, that the Strength of *Great Britain* is incomparably greater than that of this *State*. To be convinc'd of this, one need only consider the Extent of the Countries,

Possessions and Commerce of *Great Britain*, with the Number and Wealth of its Inhabitants; and in a word, every thing which can contribute to make a State powerful.

This is also the reason why in all the Treaties which have been made between *England* and this State, not only formerly in the time of the *Spanish War*, but also since, except in some particular Cases, 'twas always observ'd in mentioning the Number of Forces, so to proportion the Supplies of Troops on both sides, as that those of *England* should be greater than those of the *State*. They have been often regulated on the foot of two Thirds or three Fifths for *England*, against one Third or two Fifths for the *State*. And accordingly by the Treaty of perpetual Alliance of the 3d of *March* 1674. *England* promis'd a Supply of 10000 Men against 6000 which were to be furnish'd by the *State*. This plainly proves, that tho it should be granted that *Great Britain* has contributed much more than this State to the present War, it will by no means follow that the State has not fulfil'd her Engagements, since her Forces are not equal to those of *Great Britain*, and that it is upon this foot the Proportion ought to be regulated.

Besides, every one knows that the States-General have abundantly answer'd all that could be expected from good and faithful Allies, whether the Efforts be compar'd with those of *Great Britain* and the other Allies, or consider'd in themselves without any such Comparison. Certainly Posterity will scarce believe that a State which maintain'd a very severe War in 1672. which she could not get out of but by very extraordinary Efforts; and without having time to recover her Strength, was oblig'd to carry on a second, by which she still remains charg'd with very heavy Debts: we say, it would seem incredible that such a State being again engag'd in a third War, should be able still to make such great Efforts, and to continue them so long. Besides the Inequality of Strength we have just now mention'd, there is this difference betwixt *Great Britain* and the *State*, That *Great Britain* neither felt the Burden nor the Calamities of the first War against *France*; That in time of Peace she keeps very few Troops on foot; and, That after the Peace of *Ryswick* she disbanded most of those at that time in her Pay, which was a very great Ease to her: whereas this State was oblig'd to maintain above 40000 Men. Another considerable difference is, That in 1702 the Dominions of the *State* being the Seat of the War, suffer'd very much by it; one part of their Country was overflow'd by the breaking in of the Sea, and another part was laid under Water to defend it against the Enemy; not to mention the large Contributions we pay them annually, to none of which Inconveniences *Great Britain* is subject. This being consider'd, together with her

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great Power, enables her to contribute much more to the War than this State. Besides this, if we make the Reflection on the Taxes of all sorts which are rais'd on the Persons and Estates of our Subjects, which Taxes are more numerous and more heavy than in her Majesty's Kingdoms, or in any other State of the World; then if we consider the immense Sums which this State was oblig'd to borrow each Year in the two last Wars, and particularly in this; it will be own'd that nothing but an extraordinary Love of Liberty, and an inviolable Affection to the Common Cause, could oblige them thus voluntarily to charge themselves till they are ready to sink under the Burden. Nor is there need of any other Evidence to prove that the States-General have fully and faithfully answer'd all their Engagements, nay, and that they have contributed above their Strength to the Charge of the War.

In general, this is sufficient to remove all the Prejudices that appear in the Resolves and Address of the House of Commons, and to efface all the disadvantageous Impressions which they might make on others. For tho' all the Deficiencies they charge upon the State were fully prov'd, and tho' it were certain that the States-General had contributed much less to the Charge of the War than her *British* Majesty, it would nevertheless be true, that according to their Treaties they have employ'd all their Strength in the present War; and by consequence, that in proportion to their Power, they have done as much and more than any of the Allies, *Great Britain* herself not excepted. Therefore the Commons have wrongfully, and without any foundation, charg'd the States with not having answer'd their Engagements, and furnish'd their Quota.

We shall more particularly prove this, by examining one after another the four principal Points of the Address and Resolution of the House of Commons; but in the first place think our selves oblig'd to make some further Remarks on that Address. They acquaint her Majesty, when they enumerate the Motives which induc'd the late King *William* to enter into the War, that according to the Treaty of the Grand Alliance, those Motives were to assist the Emperor in his Pretensions to the *Spanish* Monarchy, and the States-General in recovering their lost Barrier. They afterwards add, That in all respects the Allies are equally interested with *Great Britain* in the Success of the War, and for most part a great deal more. Yet this very Treaty of the Grand Alliance, on which they found their Proposition, sets forth expressly in the Preamble, that the *English* and *Dutch* were in imminent danger of losing the Liberty of their Navigation and Commerce in the *Mediterranean*, the *Indies*, and other parts; and that *France* and *Spain* were more and more united to trample upon the Liberties of

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Europe, and to ruin the Commerce: Motives which concern'd *Great Britain* so directly and so nearly, that 'tis easy to infer from thence, that she carries on the War as much for herself as for the Emperor, the States, or the other Allies. This appears yet more plainly from the separate Article concluded the 12th of April, 1702. between the Emperor, the Queen of *Great Britain*, and the States-General, which ought to have the same force as if it were inserted *verbatim* in the principal Treaty. For the Affront put upon the late King *William*, her present Majesty, and the whole *British* Nation, by owning the pretended Prince of *Wales* for King of *England*, *Scotland* and *Ireland*, being expressly set down in this Article among the Motives of the War, as well as in her Majesty's Declaration of War; which Motive could not have been inserted in the Address of the House of Commons without too much weakning the above-mention'd Proposition, *viz.* That the Allies are on all accounts equally concern'd with *Great Britain* in the Success of the War, and for most part a great deal more. Indeed it can't be conceiv'd upon what Principle this Proposition could be founded, nor in what sense it can agree with the Demands of the Queen of *Great Britain* for a Peace. Her Majesty demands, That the most Christian King should acknowledg her; That he likewise own the Succession in the Protestant Line of the House of *Hannover*, as it is establish'd by Acts of Parliament; That he refuse all manner of Aid and Assistance to the Pretender; That he make a Treaty of Commerce with *Great Britain*; That he demolish the Fortifications of *Dunkirk*, and fill up the Harbour; and, That he yield to her Majesty the Islands of *St. Christopher* and *Newfoundland*, with *Acadia*, and other Countries in *North-America*. Now 'tis plain that these Demands are not of such a nature, that they concern the other Allies as much or more than *Great Britain* herself.

As to the Commerce in the *Mediterranean*, it cannot be said with the least colour of Reason, that all the Allies have an equal Interest in it with *Great Britain*; since 'tis known and incontestable, as well with regard to Commerce in general, as particularly to the Vent of Woollen Manufactures in *Spain*, the Ports of the *Mediterranean*, and especially in *Turkey*, that *Great Britain* is much more interested in it than the State, the only one among all the Allies which the Commerce in the *Mediterranean* most concerns.

We come now to examine those Articles by which 'tis pretended that the States-General have not furnish'd their Quota towards the Charges of the War. The first relates to the Sea-Service. On this head 'tis advanc'd, That for some Years the States-General have furnish'd two Thirds, and generally not half their Contingent for that Service. This is a very general Proposition, and another general one to the contrary

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might perhaps be sufficient to answer it; after which it might be left to the Judgment of those who know the present Posture of Affairs, which of those two general Propositions is the most probable. It would also have been very difficult to answer it otherwise, if there had not been imparted to us by private Hands a Copy of the Paper deliver'd into the House of Commons, by the Commissioners of the Admiralty of *Great Britain*; in which are specify'd the Ships of the Line that were furnish'd Year after Year by her *British* Majesty and on the part of the States-General, to act jointly in the *Channel* and the *Mediterranean*. 'Tis inserted at the End of this Memorial, and mark'd N^o I. and 'twas doubtless on this Paper that the Resolutions of the House of Commons are founded.

'Tis there laid down as a Certainty, that the Quota of the States in Naval Armaments with respect to *Great Britain*, is three to five; and they found this on the Agreement of the 27th of *April* 1689. But on this occasion it must be observ'd, that the 7th Article of the Treaty of the 9th of *June* 1703, by which the said Agreement was renew'd, imports, That the entire Quota of Ships of War which each were to furnish by virtue of that Agreement, should be regulated every Year, and that the Rendezvous as well as the respective Stations appointed for the said Ships, should likewise be agreed upon at the same time. In pursuance hereof, her Majesty the Queen of *Great Britain* thought fit to send hither one of her Admirals almost every Year. The necessary Conferences were held with them, in which the Number of Ships to be fitted out, and the Places where to be employ'd, were the chief Points consider'd. Upon this it commonly happen'd, that the Projects exhibited on the part of her *British* Majesty propos'd a greater number of Ships than those of the *State*, and much more regard was had to the Security of the *Channel* than to that of the *North-Sea*. 'Tis likewise to be observ'd, that the Paper of the Lords Commissioners of the Admiralty does not say a word of the Ships employ'd in that Sea, which is partly the Cause why they reckon'd the Quota furnish'd by the *State* so low. The Sentiments of the States General upon this Subject have always been, that the Number of Ships which was to be equip'd every Year in common, ought to be regulated according to a reasonable Estimate of the Enemies Force, and of the Ships which he could send into the *Mediterranean*, the *Channel* or the *North-Sea*; so that there was always a moral Certainty that the Fleets and Squadrons of *Great Britain* and this *State*, whether they acted in conjunction or separately, would be superiour to those of the Enemy. The Terms in conjunction or separately were used, because 'twas ever the Opinion of the *State*, that the Ships of her Majesty and the States-General which should be sent to *Portugal* and the

Mediterranean ought to act in conjunction; that the Security of the *Channel* ought to be left to her Majesty's particular Care, and that of the *North-Sea* to the States-General. The Reasons assign'd for this, were because *Great Britain* had a greater Interest in point of Commerce in the *Channel*, and could by its Situation and Conveniency of its Harbours, send and keep Ships there more easily than the *State*: and on the other hand the *State*, for the very same Reasons, could send and keep her Ships in the *North-Sea* with more Conveniency than *Great Britain*. But Cases of Necessity were always reserv'd, in such manner, that if the Enemy, contrary to all expectation, should make any extraordinary Armament, and send any Fleet or Squadron into the *Channel* or *North-Sea*, then the Squadron on both sides should join, in whole or in part, in the *Channel* or in the *North-Sea*, as occasion should require. It was not believ'd, that for some Years past it was necessary to keep a Squadron before *Dunkirk*, Experience having shew'd us oftner than once, that there was very little Advantage to be reap'd by it, and that 'twas almost impossible so to block up that Harbour, as to hinder Ships from getting out of it. Besides, the last Year most of the *Dunkirk* Ships having sail'd to other Places, there was not enough left there to form a Squadron.

As these Sentiments were well founded, they were for the most part follow'd, and with good Success. The proof of this is evident; for since the Loss sustain'd by *France* at *Vigo* 1702. and that which she suffer'd in the Sea-Fight near *Malaga* in 1704. she has not been in a condition to put any considerable Fleet to Sea: the only one they have had since, was in the *Mediterranean*, Anno 1705. to support the Siege of *Barcelona*; but so inconsiderable, that they retir'd upon sight of the Confederate Fleet, without daring to hazard a Battel.

After having thus shewn on what Foundations this State did annually regulate their Naval Equipments, it is proper to examine whether it has furnish'd its Quota in proportion to that of her *British* Majesty; which certainly it has not done, if we may believe the Paper of the Commissioners of the Admiralty of *Great Britain*. But in the first place, suppose there were nothing to be objected to the List of the Ships which they say were furnish'd by her Majesty, and that we take it on trust as they have set it down in their Paper; yet we may ask, Whether all the Ships which they set down as employ'd in the *Mediterranean* and the *Channel*, were really needful there? A Question which would not be altogether improper; for there were some Years wherein the Number of Ships employ'd for that Service did very much exceed what her Majesty herself did propose. For instance, they reckon 74 Ships for 1704. and 79 for 1705. yet the Proposals made by Admiral *Mitchel* for those Years demand only 24 Ships from the State to answer 60 of her Majesty's.

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jeſty's, both for the Service of the *Mediterranean*, the *Channel*, and the *North-Sea*. How comes it then that the Lords Commissioners of the Admiralty do now reckon for her Maſteſty's Quota 74 and 79 Ships for the Service only of the *Mediterranean* and the *Channel*, and that they demand as the Quota of this State 44 Ships for one Year, and 47 for another? We leave it to every Man's Judgment, whether this Number of Ships would not have been too great for the Service we were to expect from them, and to the Force which the Enemy could then put to Sea. The Sentiments of the States were, that 24 Ships on their part, and 40 on that of her Maſteſty, would have been enough for the Service of thoſe Years.

It muſt be obſerv'd further, That of all the Ships which the State has furniſh'd, there's no notice taken in this Paper of any but ſuch as jointly ſerv'd with thoſe of her Maſteſty in the *Mediterranean* or *Channel*, and not the leaſt mention of the *North-Sea*; the Care and Security of which were left almoſt intirely for ſome Years to the States. We are not to wonder after this, that the Number of Ships furniſh'd by the States-General appears ſo ſmall in the Paper of the Lords Commissioners of the Admiralty, when compar'd with thoſe of the Queen of *Great Britain*, ſince they cut off all that ſerv'd in the *North-Sea*, and mention only ſuch as aſted in conjunction with her Maſteſty's Ships.

This Omiſſion, no doubt, gave occaſion to thoſe injurious Reſolutions of the Houſe of Commons; and we have reaſon to think they would never have come into 'em, had they known the Reaſons of the States. We may judg of this by the following Liſt, which contains the true Number of Ships that the States have employ'd during this War for the Common Cauſe in the *Mediterranean*, the *Channel*, and the *North-Sea*. They are all Ships of the Line, without reckoning Frigats, or other leſſer Ships.

In 1702	— 55
In 1703	— 50
In 1704	— 56
In 1705	— 56
In 1706	— 54
In 1707	— 49
In 1708	— 53
In 1709	— 50
In 1710	— 43
In 1711	— 40

All this is Fact, and can be prov'd by good and authentic Vouchers: ſo that it is wrong, and without any foundation that they charge the State with not having furniſh'd its Quota for the Sea-Service.

The second Head relates to the Troops in *Flanders*: as to which 'tis complain'd that the States-General have not observ'd the first Proportion of Three to Two, which they agreed upon with the late King *William*; that they have furnish'd 20837 less than their Quota; and that they have not fulfil'd the Condition for prohibiting Commerce and Correspondence with *France*, on which the Troops of Augmentation were granted in 1703. For the clearing of this Head, we thought it would not be improper to subjoin to this Memorial, the Estimate (mark'd N^o II.) of the Forces, as well of the Queen as the States-General, that was deliver'd in to the House of Commons, and upon which, as far as we can judg, they found their Resolutions.

Our first Remark on this Estimate of the Forces is, That here they confound in a general Article the 44992 Men which the States kept in Pay after the Peace of *Ryswick*, with the 34866 Men whom they took again into their Service immediately after the Death of King *Charles II.* of *Spain*; and that in the Year 1702. they have likewise mix'd the Troops which the States took into Pay that Year, with those they had hired from several Princes the beginning of the Year before. Had not these things been confounded, it would have clearly appear'd, that the States had augmented their Troops with 50000 Men, long before *Great Britain* made any considerable Augmentation: which certainly ought to have been allow'd for in the Account, considering the Expence that the States had been at in maintaining many Troops alone.

We shall not insist on other particular Mistakes in the said Estimate, but content our selves to shew, that it does no way prove what they pretend to prove by it. For example, it does not thereby appear that the States furnish'd 20837 Men too few, or that the Queen of *Great Britain* had 13892 too many for the War in *Flanders*. 'Tis certainly very surprizing, that such a Conclusion should be drawn from an Estimate, by which on the contrary it appears very plain, that the States of the United Provinces, tho much inferiour in Power and Strength to *Great Britain*, did not only furnish and keep in Pay, from the beginning of the War to this present time as many Troops as that Crown, but a great many more. From hence we may easily perceive, that this strange Conclusion was not naturally deduc'd from the Premises; but that to make it out, they were forc'd to suppose two Propositions.

1. That at the beginning of the War, the States oblig'd themselves to furnish in *Flanders* 60000 Men for the Field; and that the States should over and above maintain 42000 Men in Garrison.

2. That the States were oblig'd to contribute according to his Proportion of 60 to 40, or 3 to 2, towards the Expence of

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of the Troops which have since been taken into the Service of her Majesty of *Great Britain* and the States.

But we cannot see by this Estimate of the Troops, on what it is they pretend to found the second Proposition. As to the first, it seems to be founded on a verbal Message which King *William* of glorious Memory sent to the Parliament in 1702. by Mr. Secretary *Vernon*; and in the Address of the House of Commons, they suppose that an Agreement was concluded on that Head, and we presume that they pretend to draw the second Proposition as a Conclusion from the first.

'Tis certainly very strange, that they should make no scruple to charge the States without first hearing them, with so considerable a Deficiency, and upon no other Proofs than a verbal Message or an Agreement, which is suppos'd to have been concluded, but without any ground, themselves having own'd a little before, that 'twas never yet ratify'd. 'Tis true, the States were oblig'd to hold their peace, tho' *Great Britain* at the beginning of the War furnish'd no more than 40000 Men in the *Netherlands*, which was so great a Disproportion to what was furnish'd by this State; but 'tis no less true, that the States were oblig'd to submit to it, not by virtue of any Agreement or Convention, or because 'twas reasonable, but because the Parliament did not grant any more. The Reasons of which are known to all the World, and several Persons may still remember them. This Disproportion was sufficiently complain'd of by the States, but they were oblig'd to have patience, and to comfort themselves with Hopes, that if the War continu'd, it would be afterwards redress'd.

But now to shew that these two Propositions are very ill grounded, we shall only say that we are very well assur'd it can never be prov'd on the part of *Great Britain*, that the States-General oblig'd themselves to maintain 60000 Men in the Field, and 42000 in Garrison; nor that they own'd, which is the essential Point, that *Great Britain* would answer all her Engagements, by furnishing only 40000 Men for 102000 furnish'd by the State; nor that, in short, they ever agreed to observe this unequal Proportion for the time to come, in maintaining the Troops with which the Army in the *Netherlands* might afterwards be reinforce'd.

Nor was there indeed the least Reason for this: *Great Britain* and the States are equally oblig'd by the sixth Article of the Treaty of the 3d of *March* 1678. and by the seventh Article of the Treaty of the 11th of *November* 1701. to assist one another mutually with all their Strength, and all their Forces by Sea and Land; and by the fourth Article of the Treaty of the Grand Alliance, they are likewise engag'd to support one another with all their Strength. *Great Britain* was then, as it is at present, beyond all contradiction much more powerful.

this State; and since she could not in the beginning of the War make good in *Spain* or in *Italy*, what was wanting of her Troops elsewhere, as she has been able to do since, it is evident that in order to fulfil the above-mention'd Treaties of the 3d of *March* 1678. of the 11th of *November* 1701. and of the Grand Alliance, she ought necessarily to have augmented her Troops in *Flanders* considerably, and to have maintain'd an Army there far more numerous than that of the State. It was the only place then where the two Potentates had Armies, and if they would have observ'd any reasonable Proportion, that was the place where it ought to have been done.

As to the Nature of this Proportion, if they would have follow'd by Land that which was establish'd by Sea, and which had actually been observ'd in the Number of the Troops mutually stipulated by the said Treaty of the 3d of *March* 1678. in the first separate Article, it ought to have been five to three; that is to say, that *Great Britain* ought to have furnish'd 170000 against 102000, which it is pretended the States oblig'd themselves to maintain in *Flanders*, for the Field and in Garisons. When we say 170000 Men, we comprehend the Guards and Garisons necessary in *Great Britain*, otherwise the Proportion might have been reduced to 100000 Men, against 60000 of the State, which they pretend ought only to be reckon'd in the Proportion, tho without any Foundation, as we shall see afterwards; but if they would follow the Proportion of two Thirds to one Third, which has been done on several other occasions during the War, in that case *Great Britain* should have brought to the Field 120000 Men against the said 60000; or rather, she ought to have furnish'd 204000 Men against 102000 of the State, including the Guards and Garisons.

In short, if instead of seeking for the Proportion in the Augmentation of the Troops of *Great Britain*, in relation to those of this State, they had rather chose to seek it in the Reduction of the Troops of the State with relation to those of *Great Britain*; it will be found that the States-General were not oblig'd to furnish, on the foot of three to five, any more than 24000 Men; and on the foot of one to two, only 20000, which would have fully answer'd their Proportion to the 40000 Men of *Great Britain*: whereas according to their own Estimate laid before the House of Commons, they did not furnish only 60000 Men, but indeed 68242 Men, besides the 42000 for Garisons. By which 'tis evident, that the State had no reason to submit to a Proposition so unreasonable as that before-mention'd, or to be satisfy'd with it.

Suppose now that the State, conniving at such an excessive Disproportion, had engag'd, as is pretended, at the Beginning of the War, to furnish in the *Netherlands* 60000 Men for the Field, and 42000 for Garisons, against 40000 fur-

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nish'd by *Great Britain*; it will by no means follow that she ought to submit to the same Disproportion to the Troops wherewith the two Potentates thought fit to augment their Forces in order to put War with more Vigour in *Flanders*.

On the contrary, one would think that *Great Britain*, considering the Excess of this Disproportion, and the Great State to make the greatest Efforts at first, in order to imitate others by her Example, would have been industriously to take upon herself the sole Burden of such expences as might be judg'd necessary for the Advantage of the Common Cause, whether with respect to the *Netherland* other Countries, till that Disproportion had been made up.

And tho' when 'twas resolv'd to augment the Armies of the *Netherlands* with 20000 Men, in the second Year of the War, *Great Britain* would not be prevail'd with to take upon the whole Charge of that Augmentation, yet she pretended either then or since, that the State was oblig'd more than a Moiety.

The Distinction made between the 60000 Men, who pretended should have serv'd in the Field, and the 40000 Men employ'd to Garisons, well deserves a particular Remark. They pretended, that the 60000 Men only ought to be consider'd in the Proportion to be observ'd between the Troops of her Majesty and those of the States-General, as if the 40000 Men was only a private Charge, which ought not to be computed among those of the War.

But what is more unreasonable than this Pretension? The State was in a manner block'd up, at the beginning of the War, by the Troops of *France*, which put her under a necessity of reinforcing her Garisons, as is suppos'd, to 42000 while *Great Britain*, by her happy Situation, could do with a far less number. Where is there any ground, what reason there to pretend that the State should not bring those 40000 into the Account with those of her *British* Majesty? If not of them, at least so many of them, as exceed the Number of Guards and Garisons in *Great Britain*. It cannot be deny'd that when two Allies of equal Power engage to make a common Cause with all their Forces, *omnibus viribus*; and that in the event, when one of the two finds occasion for 20000 more than the other for his Garisons; in this case 'twas neither reasonable nor possible, that the one should be oblig'd to furnish a Field with as many Troops as the other. How much less when this Case falls out between two Allies of unequal Power, and when he who has need of 20000 Men more for his Garisons, is very much inferior to the other in Power?

But suppose that the Garisons of the Places belonging to the State ought not to be set down, neither in whole nor in part, in the List of the Troops furnish'd against the Enemy, 'twould still be a great Mistake to compute them at 42000 Men for every Year of the War. 'Tis true, that the List of the Garisons which is made out yearly before the taking of the Field, has amounted some Years to 40000 Men; but 'tis very well known, that as soon as the Army was form'd, immediately part of the Garisons of the Places which it cover'd, was drawn out; and that the rest, except a few Regiments, were always order'd to be in a readiness to march at the first Command, to replace such Regiments, as shou'd suffer most in Sieges and Battles, which has been the case almost every Year: So that their High Mightinesses have been oblig'd to be at the Charge of Recruits and Waggon for a great part of the Regiments that were in Garison as well as for those that were in the Field.

It is as well known, that until the Reduction of *Brabant* and *Flanders*; that is to say, till 1706. a Flying Camp was form'd annually in *Flanders* out of the neighbouring Garisons, which empty'd all those Garisons in general above a full third part of their Men: That this Camp obliged the Enemy to keep a much greater Number of Troops in the Country of *Waes*, and along the Canal of *Bruges*; and that since 1706, it is so far from being true, that the Garisons of the States took up above 42000 Men, that they never amounted to the third of 'em: All the rest are sent to the Field, and this was the cause why the Dominions of the States were invaded oftner than once; which wou'd not have happen'd, had their Garisons been stronger.

'Tis true, that part of the States Troops have been employ'd in the *Spanish* Garisons; but so have those of her Majesty; and there they now actually serve as well as those of the States-General. And if since the reducing of *Lisle*, *Tournay*, and other Places that have been conquer'd in *French Flanders*, and *Artois*, we have been oblig'd to put Garisons into them; those of the *Spanish Netherlands*, which they now cover, have been considerably lessen'd. Besides, the Enemy has been thereby reduc'd to a Necessity, for the Security of his Frontiers, to double his Garisons in those Places, and to extend them as far as the *Soame*. It is wrong then to pretend, that the Army was weaken'd by putting Garisons in the conquer'd Towns; but especially to affirm, as the Commons have done, That the States do at this very time employ above 42000 Men in those Garisons.

From all this 'tis easy to judg who is most in the right, those who alledg that during this whole War the States have had 20837 Men too few in the *Netherlands*, and that *Great Bri-*

tain has furnish'd 13892 too many; or those who maintain on the contrary, that *Great Britain* has not furnish'd the Moiety of what she ought to have done in the *Netherlands*, even tho it should be granted, as 'tis not, that the 42000 Men which are suppos'd to be employ'd in Garisons, are not to be allow'd a place in the Account. The former go directly against the Treaties of the 3d of *March* 1678, and of the 11th of *November* 1701. and of the *Grand Alliance*: The latter ground themselves upon those Treaties, and follow the literal Meaning of 'em. The former reject the Proportion heretofore receiv'd, and the latter abide by it. The former have no regard to the Difference betwixt the Strength of the two Nations, and the latter believe that according to the Tenour of the Treaties their Strength is the Rule of Proportion. The former, in short, ground themselves upon a mere verbal Message sent to the Parliament, without the Knowledg or Consent of the States; the latter abide by the Treaties, and by what Reason and the Strength of the one and the other State do plainly dictate.

We agree that the Queen of *Great Britain* has, except in the *Netherlands*, and particularly by Sea, in *Portugal*, *Spain*, and *Italy*, made greater Efforts than those of the States-General; but we deny that therefore *Great Britain* has reason to accuse the States of not having perform'd their Engagement, at least till such time as they prove to us, that their greater Efforts elsewhere have exceeded their Deficiencies in the *Netherlands*.

And since the Earl of *Strafford*, Ambassador Extraordinary and Plenipotentiary of her Majesty of *Great Britain*, has notify'd, That as to the Troops by which the Army in the *Netherlands* has been augmented since 1703. her Majesty expects that the States-General should reinforce their Quota to the Proportion of the Fifts against the 15128 Men she has actually there in Pay, or that otherwise she will lessen the Number of 'em to the Proportion of two Fifts against those of the State: we have thought proper, for the better understanding of that matter, to subjoin here the following Account of the State of those Troops.

as to their Quotas of Men and Ships. 517

The Troops in the Pay of *Great Britain*, which serve in the *Netherlands*, amount, according to the List laid before the Parliament in February 1712, to ————— 65197

We must deduct one Battalion of *Pala-tines*, inserted in the List of the Troops for the *Netherlands* under the Year 1702, and which never serv'd there, ————— 600
————— 64597

The Troops in the Pay of the State which serve in the *Netherlands*, amount, according to the foresaid List, to ————— 122458

But under the Year 1701. too many are reckon'd, by ————— 1949
————— 120509

On the other side, under the Year 1702. they have omitted ————— 1092

And under the Year 1706, too many are deducted for the Troops of *Italy*, by ————— 1538
————— 2630
————— 123139

The Troops of *Great Britain* and of this State amount together to ————— 187736

According to what is pretended by *Great Britain*, this State engag'd, in the beginning of the War, to furnish ————— 102000

Great Britain ————— 40000

In the Year 1703. *Great Britain* ————— 10000

This State ————— 10000

Since the Year 1703. *Great Britain* and this State took into Service 25736 Men, of which this State, as is pretended by *Great Britain*, ought to pay three Fifths, or ————— 15442

Great Britain two Fifths, or ————— 10294

————— 60294 127442

Great Britain pays in all, as above ————— 64597 60294

————— 187736

Ergo, too much by — — — — — 4303

This State pays in all, as above, ————— 123139

—————

Ergo, too little by — — — — — 4303

It appears by the Account as above, first, That Great Britain had 25,178 Men over and above the 40000 at the beginning of the War, and not 25,178 as is pretended. Secondly, That we thought, against the mistaken Propositions of Great Britain, that at the beginning of the War the State had a right to demand 40,000 Men against 40,000, that Great Britain had performed her duty, and that the State ought to pay three Fifths of the Expence of Augmentation since 1763, and Great Britain to pay the Disproportion to much complaint.

[illegible]

Commerce, the Augmentation of 20000 Men was continu'd and the House of Commons granted every Year the necessary, Subsidies for the Proportion which *Great Britain* was to contribute thereto, without ever making the least Objection as to the Prohibition or Condition. Is it not then very strange, that after so long a space of time this matter should now be reviv'd again, and a Pretence drawn from it to charge the State with not having perform'd a Condition which it did not accept, or only accepted for a Year?

There is also in the Address of the Commons an Assertion in Fact, which might give occasion to a great Mistake, if it was pass'd by without an Answer. They therein assert, That by the War in the *Netherlands* the State has made great Acquisitions, as well in Revenues, as in Territories and Dominions: That out of the Revenues of those rich conquer'd Provinces, she might raise and maintain a considerable Augmentation of Troops against the common Enemy, if they were duly apply'd for that end; but that the State, instead of employing 'em for that Use as they ought, had diverted them to her own Ease, and for the maintaining her Quota, as the same was regulated from the beginning.

All the World knows, and it cannot be unknown in *England*, that since the Battel of *Ramellis*, *French Flanders* and *Artois* have been the Theater of the War: That two Armies far more numerous than those of any of the preceding Years have acted and subsisted there; That the Enemy continually rais'd Contributions from them; and that the open Country is so ruin'd by Foragings, raising of Pioneers, Waggon, Horses, and still more by Ravages, Plunder, demolishing of Houses, felling of Trees, the Flight and Mortality of Men and Cattel, &c. that 'twill require a very long time to restore it to a tolerable Condition. The Inhabitants of the Towns have also their share in all these Calamities. They are oppress'd with numerous Garisons, to which they are oblig'd to furnish Lodging, Fire and Candle. Instead of making any Profit by their Lands, they are oblig'd to maintain their Peasants at their own charge, because otherwise they would starve with Hunger, or abandon the Farms. The Commerce and Manufactures, which were heretofore the principal Riches of *Lille* and *Tournay*, are quite lost; the Workmen lay down their Employ, or are oblig'd by their extreme Poverty to list themselves in the Army. A Country so miserable must be very unable to furnish the State wherewith to maintain a great number of Troops against the common Enemy, especially if we reckon the ordinary and indispensable Charges, such as the repairing of Fortifications and Buildings ruin'd or very much damag'd by Sieges, and the filling of Magazines ex-

hausted by the long Defence of Places, and other the like Charges at the Expence of the State.

But not to dwell upon general Arguments, it will be proper to take notice, that from the Year 1706. that is to say, since the taking of *Menin*, the States have receiv'd by those Conquests (which 'tis pretended brought them in so much Wealth) no more than 1590916 Livres; a Sum so small in comparison of the Charges which they were oblig'd to be at for repairing the Fortifications and filling up the Magazines of *Menin*, *Lisle*, *Tournay*, *Doway*, *Bethune*, *Aire*, *St. Venant*, and *Bouchain*; and for the other Reparations made within six Years time to all the Places, Forts and Citadels of those Countries; that certainly none can assert with justice, that the same has not been laid out in that Country.

'Tis plain that in *England* they have conceiv'd such an Idea of the Revenue of the Conquests in *Flanders*, as is very remote from the Truth. The Town and Chastellany of *Lisle*, with *Doway*, *Orchies*, and its other Dependencies, is without contradiction the richest Conquest that has been made in the *Netherlands*; yet the most Christian King never rais'd from it, in time of Peace, above 3 or 400000 Livres *Flemish* Mony (which is 12 per Cent. less in value than that of *Holland*) whether under the name of Aids, Domains, Fortifications, or other ordinary Imposts, except only the Duties of Import and Export; of which tho a just Estimate cannot be made, because they are included in the general Farm of the conquer'd Countries, yet 'tis certain they are at present upon a very indifferent foot. The extraordinary Subsidies and the Capitation by which the Revenues of the King of *France* have been augmented to support the War, did not bring him in 400000 Livres per ann. *Flemish* Mony, from the beginning of this War to 1704. about which time it was augmented with 82540 Livres per ann. but under an express Condition on the part of the States, and a Promise on the part of the Court, that for this Augmentation the Province should be free from all other kind of Imposts, and that the same should cease as well as the Capitation and other extraordinary Aids, the very day the Peace should be proclaim'd. This was all that the King of *France* could raise continually out of the Country. Not but that at several times he has actually drawn several other considerable Sums from it, by the Creation of a great number of Officers very burdensom to the Estates, Magistrates, and Communities of the Country, some having been made Hereditaries, and others redeem'd again by the Estates and other Communities. But wit' out examining whether such Means be lawfully used in a Country where the Sovereign can levy no Mony without the Consent of the Estates, it will be sufficient to say, that those Methods can be but once made use of.

We may see by this, whether the House of Commons had any ground to suppose in their Address, that the State drew from her Conquests in the *Netherlands* such an Augmentation of Revenues as could maintain a great number of Troops, but that she applies it for her own Ease, towards the furnishing her Quota.

The third Article is no better founded than the two preceding ones. They therein complain, That the State has not furnish'd what it ought for the War in *Spain* and *Portugal*, and give Estimates thereof, which are subjoin'd at the end of this Memorial, and mark'd N^o III. and IV.

If they have the least Equity, and any ways consider the great Efforts above-mention'd, which have been made by the State in the *Netherlands*, they will agree, no doubt, that it was not reasonable to pretend that the States-General should still contribute to this other War an equal share with her *British* Majesty, and that indeed it is not possible for them to do it: *Great Britain* being much more powerful than this State, and she having nevertheless contributed a great deal more than *Great Britain* to the War in the *Netherlands*, it was but reasonable and just that *Great Britain* should make some Compensation elsewhere. If then she has contributed more than this State to the Affairs of *Portugal* and *Spain*, this Overplus ought to be consider'd as a Supplement to make up what was wanting on her part towards the War in the *Netherlands*, and not as a Deficiency of the States towards the War in *Spain* or *Portugal*.

By the Treaty concluded in 1703. the States oblig'd themselves to send thither, and to maintain there 4000 Men, being the third part of 12000 promis'd by that Treaty. They actually sent them thither, and kept them compleat till 1706. that the Theatre of the War was chang'd, and transported from the Frontiers of *Portugal* to the Kingdom of *Valencia* and *Catalonia*. This Change was made without the knowledge of the State, and the only share she had in it was the doubling of her Expence, to send the Reinforcements that were design'd for *Portugal* to *Spain*. The Number of Troops which the States have sent to *Portugal* or *Catalonia* since the Treaty was concluded, amounts to 15724 Foot, 3120 Horse, and 4563 Recruits, in all 23807 Men, as appears by the List hereunto annex'd, and mark'd N^o V. The Recruits which have been sent from hence to the Troops of the State, and those which have been levy'd in the Country, by lifting *Flemings*, *Walloons*, and *Germans* that deserted from the Enemy's Army, were so considerable, that the Troops of the State were generally more compleat and fitter for Service than any of the other Allies.

We agree, That by the Treaty *Great Britain* was not oblig'd to furnish above one Third of those 12000 Men, and that the Emperor was to make good the other Third: but it is known, that from the beginning her *British* Majesty took upon herself the Emperor's whole Quota, without any Concurrence on the part of the State. So that it is contrary to Reason, that this Article should now be brought into the Account against the States, among the Efforts which her Majesty has made out of the *Netherlands*. The Treaty with *Portugal* obliges the States-General only to one Third of the 12000 Men, and they made them good. After this, they did not oblige themselves to any other Proportion than that of the Grand Alliance, and of the Treaties of the 3d of *March* 1678, and of the 11th of *November* 1701. which oblige them to make war with all their Forces, and to procure to the utmost of their power a Reasonable Satisfaction to the Emperor as to the Succession of *Spain*. This they have also faithfully executed, so that they can't without injustice be deny'd the Testimony of having in this War made their greatest Efforts, equal to and beyond their Allies. Further, tho it should be allow'd, that the State ought to have sent more Troops to *Catalonia*, and also to have replac'd in *Portugal* those which march'd out of it in 1706. to *Spain*, it must nevertheless be certain, according to all the Rules of Equity, that the considerable Efforts she has made in the *Netherlands*, over and above what *Great Britain* has done, would abundantly make up those pretended Deficiencies.

Upon this 'tis fit to observe, That in the Address of the Commons they reckon the extraordinary Charge of the War of *Spain* and *Portugal* to a very great Sum; but as to that of the *Netherlands*, they say no more, than that the extraordinary Charges of the War there came to above 1107096 *l. Sterling*; and that the House of Commons could not make a comparison betwixt that Sum and what the State had laid out for the same end in the *Netherlands*, because the Estimate of it was not communicated to them. But we may supply that Defect, by telling them here, That if *Great Britain* laid out very large Sums for the Extraordinaries of the War in *Spain* and *Portugal*, the States-General have also laid out very great Sums for those of the War in the *Netherlands*, viz. 65861821 *Livres*: so that they exceed those of *Great Britain* 53683765 *Livres*, reckoning eleven *Dutch* Guilders for one Pound *Sterling*.

Perhaps it will be alledg'd here, That the States have rais'd great Sums by Contributions, Passports, the Subsidies of *Liege* and *Limbourg*, and the Revenues of a part of the Upper Quarter of *Guelderland*, that is in their possession: but these Advantages speedily vanish, when ballanc'd by the Contributions that are paid by the Inhabitants of *Brabant* and *Flanders*, sub-

jest to the State; by part of those who inhabit two of the seven Provinces; by the Expence of the Fortifications and Magazines of *Huy, Limbourg, Ruremond, Venlo, Stevenswaert, Bon and Traerbach*; by the new Works which they have added to several of these Places, for the Good of the Common Cause; and by the Expence of the Artillery and Ammunition of War for all the Sieges that have been made during this long and burdenson War; none of which are reckon'd in the 65861821 Livres above-mention'd: and in fine, the Winter-Quarters which the Auxiliary Troops of *Prussia* have taken each Year in the Upper Quarters of *Guelderland*, and the continual Marches of other Troops to and fro thro the said Country, have so ruin'd the Inhabitants, that they are no longer able to pay their Taxes.

The fourth and last Head which remains to be examin'd, relates to the Subsidies, which during the first Year of the War were paid in equal shares, and afterwards unequally by *Great Britain* and the State: The Estimate of it which was laid before the Commons, is in the Paper annex'd, mark'd N^o VI. Upon which we shall observe,

1. That this Estimate takes no notice of the 40000 Crowns per ann. which the States-General pay alone to the Bishop of *Munster*; nor of the 100000 Crowns which they have paid in the like manner annually to the Duke of *Wirtemberg*, from the Year 1704. to the Year 1709. Nor do they take notice of 400000 Crowns which the States-General were oblig'd to pay to facilitate the Treaty with the King of *Denmark*, for two stated Obligations of a greater Sum that ought to have been restor'd to the said King against an unstated Pretension, according to the 9th Article of the Treaty concluded with his *Danish Majesty* the 15th of *June* 1701. Which Sum of 400000 Crowns might very well have been brought here to account on the part of the State, for several good Reasons.

2. That by the Treaty with *Portugal*, *Great Britain* is charg'd no higher than the State; only that in the same manner, and for the same reasons that her Majesty thought fit to take upon herself the Emperor's Quota of the 12000 Men, she likewise charg'd herself with his Quota and the Subsidies. This Third may indeed be plac'd to the Emperor's account, but not to that of the States-General: And if this be deducted, as it ought to be, the Article of the Subsidies paid to the King of *Portugal* by *Great Britain*, in opposition to those of the State, will be reduc'd to one half, which makes a Diminution of 2722222 Crowns; so that the difference of the Payments between *Great Britain* and the State will be nothing so great as 'tis made in the Estimate laid before the House of Commons.

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3. Supposing nevertheless, that laying aside those just Considerations, we agree that *Great Britain* has paid during the Ten Years War, 3155032 Crowns and a half more than the State, which will be little more than 300000 Crowns *per annum*, this Overplus must be own'd to be very inconsiderable, with respect to the Difference there is between the Ability of the one and the other State. It must likewise be granted, that the States, by paying the Moiety of the Subsidies to *Denmark* and others, are in proportion more burden'd by the Payment of that Money, than *Great Britain* is by what she has paid over and above upon this Article.

Nor ought we to pass over in silence, that this State, by charging her self at first with the Moiety of the Subsidies promis'd to the King of *Denmark* and other Princes, has done more than ought to have been demanded from her, but what she did in this Case should not have been drawn into Consequence for the other Treaties that were afterwards to be made, and she never oblig'd her self to pay indifferently the Moiety of all the Subsidies which should be promis'd afterwards on the account of the War. We may justly say on the contrary, that she had very good Reasons not to engage her self after that manner, if we consider that she is much inferior in Ability to *Great Britain*, and the Treaties made in the preceding War with the Duke of *Savoy*, and other Princes; by which it appears, that the proportion in the payment of Subsidies granted for carrying on the War any where else than in the *Netherlands*, was for the most part adjusted at two Thirds for *Great Britain*, to one Third for this State: So that consider the Matter which way you please, *Great Britain* has no cause of Complaint in this respect. We must likewise observe that formerly, even in *England*, they very well understood that this proportion in the Subsidies and other Charges of the War out of the *Netherlands* was not unreasonable, since not only her Majesty took upon herself the Emperor's Share, in the Treaty of *Portugal*; but likewise in the Treaty which the Emperor made with the Duke of *Savoy*, long before the States enter'd into it, her Majesty willingly charg'd herself two Thirds of the Subsidies which were to be paid to that Prince.

This evidently shews, that tho the Inequality in the Payments of the Subsidies, and of other the Expences which her Majesty charg'd upon her self, should be contrary to Proportion, as it is not, *Great Britain* could not with any Ground now make it a Cause of Complaint against this State, since her Majesty did voluntarily charge herself with those Payments.

The Result of all that we have now said, is this, That according to Treaties and Alliances, *Great Britain* and this State are each of them oblig'd to employ all their Strength in the

present

to their Quotas of Men and Ships. 525

ur : That since the Quantum or Quota of the one
her has not been regulated by any Convention or
; their Proportions neither ought, nor can be re-
t upon the foot of their respective Abilities: That
in is incontrovertibly more powerful than this State,
rom this Principle we have likewise an incontro-
right to conclude, that she ought to contribute
t the Charges and Expence of the War : That in
est the State has fulfil'd her Engagements with re-
vent Britain : That if in some Places it has not con-
b much as she, it has in others contributed a great
: That in general we can truly say, that in pro-
her Strength, she has done at least as much as
in, or any other of the Allies: That as *Great Bri-*
tes high Commendation, and a grateful Acknow-
for her generous Efforts in favour of the Common
d for the good Effects which by the Blessing of God
w'd upon them; we likewise trust that every one
s with an equitable and impartial Eye upon the
nich the States-General have made on their part,
re the War, and since it began to this very day, they
em the Justice to own, that they no way deserve
e are charg'd with by the Resolutions and Address
pule of Commons; and that in short, it can neither
son nor Justice be demanded of the States, that not-
ing the Expences they are at in the *Netherlands*,
e incomparably greater than those of *Great Britain*,
d contribute equally with her in other Countries,
Great Britain should only contribute to the Charge of
by Sea, in proportion of five to three, and not do
other Cases.

It believe that we ought to take for a Reflection
te, what the House says in their Address, ' That
to have all the Profit of the War, can't easily be
to deprive themselves of it; and that the true Rea-
so many People delight in a War, which brings
from *Great Britain* a rich Harvest into their Grana-
easy to be guess'd at.' For besides that those
not be apply'd to the State with the least shadow of
e are able to prove incontrovertibly, by a great
of the Queen's Speeches to her Parliament, and by
es of both Houses, that *Great Britain*, as well as
thought it was absolutely necessary to push on the
Vigour. The States could not desire the Continua-
War, the Expence of which she is scarce able to
om which she reaps no Advantages capable to
Losses by it: On the contrary, she has always
as now wish from the bottom of her Heart, for
such

as to their Quotas of Men and Ships. 527

appear, by the following Account, which hath been com-
med with as much Exactness as the nature of the thing will
suffer.

In the Year 1702. her Majesty had 44 Ships employ'd in
Channel and Soundings, of the Line of Battel, and 30 in
about the *Mediterranean*, making in the whole 74; and
were join'd with no more than 33 of the States-Gen-
eral, whereas they should have been 44.

703. Seventy nine of her Majesty's Ships were employ'd
in the aforesaid Services, and but 22 of the States-General,
which should have been 47.

704. There were 74 of the Queen's Ships, and 18 *Dutch*,
which should have been 44.

705. Seventy nine of her Majesty's Ships were employ'd as
aforesaid, and 20 *Dutch*, instead of 47.

706. There were but 15 Ships of the States-General ac-
tually in conjunction with 78 of the Queen's Ships, whereas
they should have been 46.

707. To 72 Ships of her Majesty's, there were no more
than 27 of the States-General, instead of 43.

708. The States-General join'd 25 Ships of the Line, to
assist her Majesty's, instead of 43.

709. No more than 11 Ships of the States were join'd to
assist the Queen's Ships, instead of 42.

710. Her Majesty had 62 Ships employ'd on the aforesaid
Services, and the States-General appointed no more than 13,
which in conjunction with them, instead of 37.

711. There were no more than 12 *Dutch* Ships, instead of
appointed to assist with 59 of the Queen's Ships; which, as
in those in the preceding Years, were employ'd in the
Mediterranean, and not so much as one Ship allotted by the
States-General to assist in concert with those of her Majesty,
against the Enemy's Ships before *Dunkirk*, and in the Chan-

Admiralty-Office,

Jan. 21. 1711.

Sign'd by

James Wishart,
William Drake,

George Byng,
George Clark.

By Order of their Lordships, Sign'd,

John Burchett.

N^o II. *Estimate of the Forces which the Queen furnish'd from time to time for the Service in Flanders since the Beginning of this War.*

Years.	Nations.	Battalions.	Squadrons.	By what Treaties.	Number of Soldiers
1701	English	12		Treaty betwixt England and Holland, dated the 3d of March, 1677.	
	Total	12			10000
1702	English	4	17	According to the Votes and Address of the Lower House, to regulate her Majesty's Quota at 40000 Men; which Votes pass on a Message from the late King by Mr. Secretary Vernon, who declar'd, that his Majesty had order'd him to lay before the House the Quota which was to be furnish'd by his Majesty, the Emperor, and the States-General.	8459
	Danish	5	10 $\frac{1}{2}$		
	Prussians	2 $\frac{1}{2}$	2		
	Hannoverians	8	14		21612
	Hessians	2 $\frac{1}{2}$	7		
	Palatines	1			600
	Total	35	50 $\frac{1}{2}$		40671
1703	English	2		In pursuance of the Treaty betwixt England and Holland, of March 15. 1703. about a common Augmentation of 20000 Men.	10000
	Holstein Gott.	1	4		
	Saxe-Gotha	1	3		
	Liegeois	1 $\frac{1}{2}$	2		
	Munsterians	1 $\frac{1}{2}$			
	Hessians	1 $\frac{1}{2}$			
	East-Friesland	1 $\frac{1}{2}$			
	Osnabrug	1 $\frac{1}{2}$			
	Palatines	2			
	Danes 260				
	Total	45 $\frac{1}{2}$	59 $\frac{1}{2}$		50671
1704		45 $\frac{1}{2}$	59 $\frac{1}{2}$		
1705		45 $\frac{1}{2}$	59 $\frac{1}{2}$		
1706	Palatines	2 $\frac{1}{2}$	2		2000
	Total	48 $\frac{1}{2}$	61 $\frac{1}{2}$		52671

Carry over to Pag. 530 52671

II. Estimate of the Forces furnish'd by the States-General from time to time for the Service in Flanders from the Beginning of this War.

Years.	Nations.	Battalions.	Squadrons.	By what Treaties.	Number of Soldiers
1701	Dutch	75	73		79858
	Total	75			
	Anspach	2	4	In pursuance of an Agreement made with England, to bring 60000 Men into the Field, and	30384
	Mecklenburg	2			
	Hannover and Zell	6	11		
	Hesse-Cassel	3			
1702	Palatines	7	8	leave 42000 in Garrisons.	110242
	Danes	5	10 $\frac{1}{2}$		
	Munsterians	2	2		
	Prussians	2 $\frac{1}{2}$	2		
	Hessians	2 $\frac{1}{2}$	7		
	Total	107	117 $\frac{1}{2}$		
	English	2		In pursuance of a Treaty between England and Hol	10000
	Holstein-Gott.	1	4		
	Saxen-Gotha	1	3		
	Liegeois	1 $\frac{1}{2}$	2		
1703	Munsterians	1 $\frac{1}{2}$		land, about a common Augmentation of 20000 Men	120242
	Hessians	1 $\frac{1}{2}$			
	East-Friesland	1 $\frac{1}{2}$			
	Osnabrug	1 $\frac{1}{2}$			
	Palatines	2			
	Danes 250				
	Total	117 $\frac{1}{2}$	126 $\frac{1}{2}$		
1704		117 $\frac{1}{2}$	126 $\frac{1}{2}$		
1705		117 $\frac{1}{2}$	126 $\frac{1}{2}$		
1705	Palatines	1 $\frac{1}{2}$	1		1000
	Total	118 $\frac{1}{2}$	127 $\frac{1}{2}$		121142

Carry over to Page 531/121142
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N^o ii. *Continuation of the Estimate of the Forces which the Queen furnish'd from time to time for the Service in Flanders since the Beginning of this War.*

Years.	Nations.	Batta- lions.	Squa- drons.	By what Treaties.	Number of Soldiers.
1707	Broug. over	48 $\frac{1}{2}$	61 $\frac{1}{2}$	Brought over	52671
	Saxons	2	4		2319
	Hannoverians		2		400
	Total	50 $\frac{1}{2}$	67 $\frac{1}{2}$		55390
	Troops drawn off for Italy	1	3	} At present in Italy Deduct	2600
	Saxe-Gotha Palatines	2			
	Remains	47 $\frac{1}{2}$	64 $\frac{1}{2}$	Remains	52790
1708	English under Gen. Erle	5			4500
	English	1			938
	Total	53 $\frac{1}{2}$	64 $\frac{1}{2}$		58228
1709	Saxons	2	2	} 16	9471
	Prussians	5	14		
	Treves	1			
	Engl. Guards	1	9		
	Total	62 $\frac{1}{2}$	80 $\frac{1}{2}$		67699
1710	Saxons	2			1548
	Total	64 $\frac{1}{2}$	80 $\frac{1}{2}$		69247
	English		2		450
	Total	64 $\frac{1}{2}$	82 $\frac{1}{2}$		69697
	Engl. drawn off and sent to Canada	5		Deduct	4500
	Remains	59 $\frac{1}{2}$	82 $\frac{1}{2}$	Remains	65197

Note, There are 9 Battalions and 21 Prussian Squadrons Battalions and 2 Hessian Squadrons, for whom her Majesty p nothing but Bread and Forage in conjunction with the State and are not specify'd in this List.

Carry over to Pag. 532 65197

10 II. Continuation of the Estimate of the Forces furnish'd by the States-General from time to time for the Service in Flanders, since the Beginning of the War.

Years.	Nations.	Battalions.	Squadrons.	By what Treaties.	Number of Soldiers
	Brought over	118 $\frac{5}{8}$	127 $\frac{1}{2}$	Brought over	121142
	Cav. Dutch				1160
	Saxons	2	4		2319
	Hannoverians		2		400
	Total	120 $\frac{5}{8}$	133 $\frac{1}{2}$		125121
07	Troops drawn off and sent to Italy.				
	Dutch	3	10		
	Saxe-Gotha	1	3		
	Palatines	9	8		
		13	21	Deduct	12850
	Remains	107 $\frac{5}{8}$	112 $\frac{1}{2}$	Remains	112271
08	The Swissers and Grisons augmented				1144
	Wirtemberg	5	4		
	Wolfenbuttle	2	2		
	Saxons	2	1		
	Holsteiners	1	---		
	Munsterians	1	---		
	Total	118 $\frac{5}{8}$	118 $\frac{1}{2}$		122458
10		118 $\frac{5}{8}$	118 $\frac{1}{2}$		
11		118 $\frac{5}{8}$	118 $\frac{1}{2}$		

Note, There are 9 Battalions and 21 Squadrons of Prussians, Battalions and 2 Squadrons of Hessians, to whom her Majesty, in conjunction with the States-General, paid nothing for Bread and Forage, and which are not specify'd in this ft.

Carry over to Page 533 \ 122458

532 Memorial of the States-General, 1712.

N^o II. Continuation of the Estimate of the Forces which the Queen furnish'd from time to time for the Service in Flanders since the Beginning of this War.

Years.	Nations.	Battalions.	Squadrons.	By what Treaties.	Number of Soldiers
1710	Broug. over	59 $\frac{1}{2}$	82 $\frac{1}{2}$	Brought over	65197
	Her Majesty's Half.				
	{ Prussians	4 $\frac{1}{2}$	10 $\frac{1}{2}$		
	{ Hessians	1 $\frac{1}{2}$	1		7000
	So that her Majesty has for her effectual Quota in Flanders	65 $\frac{1}{2}$	94		72197

Quota agreed at the Hague in 1701 to serve against France.

	Men
By the Dutch	120000
Deduct for Garisons	42000
Remains for the Field	60000
By England	40000
But Holland has augmented her Troops to	129458
Deducted for Garisons	42000
Remains for the Field	87458
England has augmented her Troops to	72197
Total for the Field	159655
England has no more to furnish to augment her Troops in proportion than	58304
So that England has furnish'd more than her Quota	13851
	72197

N. B. As the Number of Garisons is augmented by the Conquests made in the Netherlands during this War; so they have been oblig'd to imploy more Troops in them than the first 42000 Men, which by consequence lessens the Troops design'd for the Field, and so the Number of Troops which England has furnish'd, must rise much higher than the said

And the Deficiency of the Dutch Troops must be greater than the said

N^o III

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N^o II. Continuation of the Estimate of the Forces furnish'd by the States-General from time to time for the Service in Flanders, since the Beginning of the War.

Years.	Nations.	Battalions.	Squadrons.	By what Treaties.	Number of Soldiers
1711	Brought over	118 $\frac{1}{2}$	118 $\frac{1}{2}$	Brought over	122458
	The States Half is				
	Prussians Hessians	4 $\frac{1}{2}$ } 6 1 $\frac{1}{2}$ }	10 $\frac{1}{2}$ } 11 $\frac{1}{2}$ 1 }		7000
	So that the States-General have in Flanders for their share of Effective Men	124 $\frac{1}{2}$	130		129458

Quota agreed at the Hague, 1701. to act against France.

By England ————— 40000

By Holland ————— 102000

Deducted for Garisons — 42000

Remains for the Field — 60000 Men.

But England has increas'd her Troops to — 72197

And the Dutch to — 129458

Deducted for Garisons — 42000

Remains for the Field — 87458

Total of Forces — 159655

If the Dutch had augmented in proportion,

they must furnish for the Field — 108295

So that the Dutch furnish'd less

than their Proportion — 20837

Remains as above — 87458

This Estimate is as exact as I could possibly make it, and taken out of the Books which were found in the Offices of the Secretaries of State and War, and likewise out of Accounts given by those who were employ'd in this Service.

Sign'd, H. St. John.

534 *Memorial of the States-General, 1712.*

N^o III. *Estimate of the Forces which the Queen furnish'd from time to time for the Service in Spain, since the Beginning of the War.*

Years	Nations.	Batta- lions.	Squa- drons	Number of Soldiers	By what Treaties.
1705	English	6	2	5000	
1706	English	5		4170	
	English	7	4	} 8152	
	Fr. Refugees	3			
	Total	21	6	17322	
1708	Germans	6		4360	
	Italians and Germans	6	7	5480	} These Troops in June 1711 were reduc'd to 3493 Men, in 15 Squadrons and 2 Bat- talions.
	Portuguese	2	21	5569	
	Palatines	2		1300	
	Total	37	34	34031	
1709	English	9	2	7904	
	Germans and Italians	5		3180	
	Total	51	36	45115	
1710	Germans and Italians	4		3000	
	Portuguese	1		845	
	Total	56	36	48960	
1711	English	9		7013	
	Imperial Dra- goons		12	2000	
	Total	65	48	57973	

Note, The Body of English and Dutch Troops which in 1706. march'd out of Portugal into Spain, and have serv'd there since, are not contain'd in these Lists.

*Note, Notwithstanding the Reductions made of the Queen's Troops in Spain, the Reinforcements which were sent thither every Year afterwards were so considerable, that they much exceeded the Reductions. So that there still remain in Spain 24 Battalions and 14 Squadrons of English Troops; of whom there were made Prisoners of War in the Battel of *Bribeuga* 8 Battalions and 11 Squadrons. Besides, there are still 87 Battalions and 52 Squadrons of Auxiliary Troops in the Queen's Pay, including the 13 Battalions and 18 Squadrons of the King of *Spain*, for which the Queen pays Subsidies; and those are not contain'd in these Lists.*

The Difference on the part of the Queen is 55 Battalions and 52 Squadrons.

N^o IV.

N^o III. Estimate of the Forces furnish'd from time to time by the States-General for the Service in Spain, since the beginning of the War.

Years	Nations.	Batta- lion	Squa- drons	Number of Soldiers	By what Treaties.
1705	Dutch	4		2500	
1706	Dutch	6		4000	
	Total	10		6500	
1708	Palatines	4	8	5700	
	Total	14	8	12200	

These *Palatines*, with the Remains of the *Dutch*, made after the Battel of *Almanza* a Body of 6 Battalions and 14 Squadrons; and this was near upon the Number of Troops which the States-General had in *Spain* before the said Battel; after which they sent no more Troops to that Kingdom.

Note, In the beginning of 1711. the Emperor sent a Regiment of 2000 Men to *Spain*; and upon the manifold Representations of the Imperial Minifters, that nothing was wanting to finish the War in *Spain* but an Augmentation of 2000 Horfe, the Queen took into her Pay two Imperial Regiments amounting to that Number. The States-General promis'd at the same time to send 4 Battalions thither, but have not yet done it.

The States-General have at present in *Spain* 6 Battalions and 14 Squadrons.

This Estimate is as exact as I could possibly make it, and taken out of the Books which were found in the Offices of the Secretaries of State and War; and likewise out of the Accounts given by those who were employ'd in this Service.

Sign'd, *H. St. John.*

536 Memorial of the States-General, 1712.

N^o IV. Estimate of the Forces which the Queen furnish'd from time to time for the Service in Portugal, since the Beginning of this War.

Years	Nations.	Batta- lions.	Squa- drons.	Number of Soldiers.	By what Treaties.
1703	English	8 *	6	8000	Treaty betwixt the Emperor, England, Holland, and Portu- gal, of the 16th of May, 1703.
1704	English	2	2	1810	
	Total in 1704	9	8		Note, These Troops were sent to make good the Loss sustain'd in the Beginning of 1704. before <i>Castel de Vide</i> , and in <i>Portugal</i> .
1706	Form'd out of Prisoners.	2			
	Total	11	8		* Note, One of those Bat- talions, that suffer'd much at the above-mention'd Places, was sent to <i>England</i> to re- cruit.

Note, The same Year the whole Body of the *English* and *Dutch* march'd with the *Portuguese* Army into *Castile*; but instead of coming back again to *Portugal*, the whole Army was oblig'd, at the Close of that Year, to retire to *Valencia*.

The King of *Portugal* having desir'd a new Supply of Troops for the Security of his Kingdom, her Majesty not only sent some of her own Troops thither, but also levied others there at her own Charge, as follows.

1707	English	4		2900
1708	English	2		1710
	Portuguese	1		876
	Form'd out of Deserters	1		845
1709	English		5	912
	Portuguese		16	1615
1710	Form'd out of Deserters		4	646
		8	19	9504

Which Troops were actually in *Portugal* at her Majesty's Charge in 1711. except the Battalion of Deserters, who were taken Prisoners of War, and cashier'd in 1710.

N^o IV.

N^o IV. Estimate of the Forces which the States-General furnish'd from time to time for the Service in Portugal, since the Beginning of this War.

Years	Nations.	Batta- lions.	Squa- drons.	Number of Soldiers	By what Treaties.
1703	Dutch	6	4	4000	Treaty betwixt the Empe- ror, England, Holland, and Portugal, of the 16th of May 1703. N. B. These Troops were sent to make good the Da- mage sustain'd in the Begin- ning of the Year 1704.
1704	Dutch	2	—	1200	

Note, The States-General maintain'd their Quota of one Third till the Battel of *Almanza*, but sent not one Man to *Portugal* since that time : so that the Queen alone sent thither, and levy'd at her own Charge, 8 Battalions and 19 Squadrons.

Note, The King of *Portugal* was oblig'd by the Treaty of the 16th of *May* 1703. to maintain at his own Charge in the Field 12000 Foot and 3000 Horse.

And in consideration of a Subsidy of a Million of Rix-dollars *per annum*, of which her Majesty paid two Thirds and the States-General one Third, that King oblig'd himself to furnish 13000 Men more : But the whole Body of these Troops never amounted to the last-mention'd Number.

This Estimate is as exact as I could possibly make it, from the Books that were found in the Offices of the Secretaries of State and War ; and likewise out of the Accounts given by those who were employ'd in that Service.

Sign'd, H. St. John.

N^o V. *Estimate of the Troops which the States of the United Netherlands sent to Portugal and Spain, in the Year 1703. and after.*

		Batta- lions.	Squa- drons	Foot.	Horse and Dragoons.
<i>Note, The four Battalions that stand next are only reckon'd Two in the List of the Troops in the Netherlands.</i>	In 1703. to Portugal	6	5	3960	852
	In 1704. to Portugal	2		1320	
	In 1705. to Spain	4		2400	
	In 1706. to Spain	3	5	2376	780
<i>The 1300 Men from England are not included here.</i>	In 1707. the Pala- tine Troops from Italy to Spain	6	8	4468	1488
	In 1711. <i>Diesbag's</i> Regiment of <i>Swissers</i> was rais'd, and lies ready on the Frontiers of <i>Switzerland</i> to march to <i>Spain</i> .	2		1200	
		23	18	15724	3120
					15724
					18844
<i>Besides these the following Recruits were sent to Spain and Portugal</i>					
In the Autumn of 1704				600	
In the Spring of 1705				730	
In the Autumn of 1705				1283	
In the Autumn of 1706				1500	
In the Autumn of 1708				850	
					4963
					23807

Of the above-mention'd Twenty Three Battalions, those that follow were commanded Home, or incorporated with others in *Spain*, having suffer'd so much, that it was not possible to recruit them in *Portugal* and *Spain*, and they were all immediately recruited and compleated at Home.

1704	—	—	—	2	—	1320
1707	3 Battal. at	792	2376	—	—	—
	4 at	660	2640	—	—	—
	2 at	600	1200	9	—	6216
1711	—	—	—	2	—	1200
				13	—	8736

The *Palatine Foot* was in 1709.
 reduc'd to 3300 Men, of
 whom the States paid 2591,
 making up 4 Battalions; so
 that the Quota of the States
 was lessen'd

So that the States in 1712.
 paid in *Spain*, including the
 Regiment of *Diesbag*

2	—	1877
15	—	10613
8	18	4111
23	18	15724
		3120

Estimate

N^o VI.

Estimate of the Subsidies annually granted by Parliament, so as the same are paid to Foreign Princes, in pursuance of the Treaties made with them since the Beginning of this War.

	1701.		1702.		1703.	
	By England	By Holland.	By England	By Holland	By England	By Holland.
	Crowns	Crowns	Crowns	Crowns	Crowns	Crowns
To whom the Subsidies are paid.						
To the King of Denmark in Bank-Money	75000	75000	150000	150000	150000	150000
To the Landgrave of Hesse-Cassel	..	..	50000	50000	50000	50000
To the Elector of Trier	..	..	..	..	..	..
To the Duke of Savoy	..	..	..	..	25000	25000
To the King of Portugal	..	..	..	..	160000	80000
	..	..	..	..	51111	5555 $\frac{1}{2}$
	..	..	..	..	..	..
	..	..	..	..	..	..
Total	75000	75000	200000	200000	496111	360555 $\frac{1}{2}$

N^o VI.

N^o VI. Continuation of the Estimate of the Subsidies annually granted by Parliament, so as the same are paid to Foreign Princes, in pursuance of the Treaties made with them since the Beginning of the War.

	1704.		1705.		1706.	
	By England. Crowns.	By Holland. Crowns.	By England. Crowns.	By Holland. Crowns.	By England. Crowns.	By Holland. Crowns.
To whom the Subsidies are paid.						
To the King of Denmark in Bank Money	150000	150000	150000	150000	150000	150000
To the Landgrave of Hesse Cassel	50000	50000	50000	50000	25000	25000
To augment his Troops and march them to Italy	...	...	...	...	47124	23562
To the Elector of Trier	25000	25000	25000	25000	25000	25000
To the Duke of Savoy	640000	320000	640000	320000	640000	320000
To the King of Portugal	666666 $\frac{2}{3}$	333333 $\frac{1}{3}$	666666 $\frac{2}{3}$	333333 $\frac{1}{3}$	666666 $\frac{2}{3}$	333333 $\frac{1}{3}$
To the King of Prussia	...	...	194520	97260	200000	100000
For Bread and Forage for 12000 Men in Flanders	20000	20000	...	...	82973	82973
To the Elector Palatine	20000	20000	20000	20000	20000	20000
Total	975666 $\frac{2}{3}$	610333 $\frac{1}{3}$	1170186 $\frac{2}{3}$	707593 $\frac{1}{3}$	1280763 $\frac{2}{3}$	791868 $\frac{1}{3}$

N^o VI. Continuation of the Estimate of the Subsidies annually granted by Parliament, so as the same are paid to Foreign Princes, in pursuance of the Treaties made with them since the Beginning of this War.

	1707.		1708.		1709.	
	By England.	By Holland.	By England.	By Holland.	By England.	By Holland.
	Crowns.	Crowns.	Crowns.	Crowns.	Crowns.	Crowns.
To whom the Subsidies are paid.						
To the King of Denmark	150000	150000	150000	150000	150000	150000
To the Landgrave of Hesse Cassel	25000	25000	25000	25000	25000	25000
To augment his Troops and march them to Italy	33333 $\frac{1}{3}$	16666 $\frac{2}{3}$	66666 $\frac{2}{3}$	33333 $\frac{1}{3}$	66666 $\frac{2}{3}$	33333 $\frac{1}{3}$
To Bread-Waggons, Forage, and for Hospitals for his Troops in Italy	46666 $\frac{2}{3}$	23333 $\frac{1}{3}$	107374 $\frac{1}{2}$	53687 $\frac{1}{2}$	25000	25000
To the Elector of Trier	25000	25000	25000	25000	25000	25000
To the Duke of Savoy	640000	320000	640000	320000	640000	320000
To the King of Portugal	666666 $\frac{2}{3}$	333333 $\frac{1}{3}$	666666 $\frac{2}{3}$	333333 $\frac{1}{3}$	666666 $\frac{2}{3}$	333333 $\frac{1}{3}$
To the King of Prussia	200000	100000	200000	100000	200000	100000
To Bread and Forage for 12000 Men in Flanders	155451 $\frac{1}{2}$	155451 $\frac{1}{2}$	155451 $\frac{1}{2}$	155451 $\frac{1}{2}$	155451 $\frac{1}{2}$	155451 $\frac{1}{2}$
To the Elector Palatine	20000	20000	20000	20000	20000	20000
Total	1962118 $\frac{1}{2}$	1168784 $\frac{2}{3}$	2656159 $\frac{2}{3}$	1210805 $\frac{2}{3}$	194878 $\frac{1}{2}$	1162118 $\frac{1}{2}$

N^o VI. Continuation of the Estimate of the Subsidies annually granted by Parliament, so as the same are paid to Foreign Princes, in pursuance of the Treaties made with them since the beginning of this War.

To whom the Subsidies are paid.	1710.		1711.	
	By		By	
	England.	Holland.	England.	England.
	Crowns.	Crowns.	Crowns.	Crowns.
To the King of Denmark	150000	150000	150000	150000
To the Landgrave of Hesse Cassel	25000	25000	25000	25000
To augment his Troops and march them to Italy	66666 $\frac{2}{3}$	33333 $\frac{1}{3}$	66666 $\frac{2}{3}$	33333 $\frac{1}{3}$
				
To the Elector of Trier	25000	25000	25000	25000
To the Duke of Savoy	640000	320000	640000	320000
To of Portugal	66666 $\frac{2}{3}$	33333 $\frac{1}{3}$	66666 $\frac{2}{3}$	33333 $\frac{1}{3}$
To the King of Prussia	200000	100000	200000	100000
For Bread and Forage for 12000 Men in Flanders	15545 $\frac{1}{2}$	15545 $\frac{1}{2}$	15545 $\frac{1}{2}$	15545 $\frac{1}{2}$
To the Elector Palatine	20000	20000	20000	20000
Total	194878 $\frac{1}{2}$	1162118 $\frac{1}{2}$	194878 $\frac{1}{2}$	1162118 $\frac{1}{2}$

N^o VI.

Total of the Subsidies paid by England and Holland to Foreign Princes, in pursuance of the Treaties made with them since the beginning of this War.

To whom the Subsidies are paid.	By	
	England. Crowns,	Holland. Crowns.
To the King of Denmark	1575000	1575000
To the Landgrave of Hesse Cassel	350000	350000
To augment his Troops and march them to Italy	347124	173561½
Bread-Waggons, Forage, and for Hospitals for his Troops in Italy	154041½	77020
To the Elector of Trier	225000	225000
To the Duke of Savoy	5280000	2640000
To the Duke of Portugal	5444444½	2722222½
To the King of Prussia	1394520	697260
For Bread and Forage for 12000 Men in Flanders	860231½	860231½
To the Elector Palatine	160000	160000
Total	15790361	9480296

N. B. The Sum of 50000*l.* was yearly granted to the King of Spain, by the Parliament, since 1707. inclusive, for his own Maintenance, and that of his Troops, be-

sides what was given above, according to this Account. N. B. Besides the Subsidies to the King of Prussia above-mention'd, his Prussian Majesty requested of the Queen,

as her Quota, Two Thirds of 70000 Crowns to recruit his Troops in *Italy*, that the same might be in a condition to act there in 1710. and 1711. and this Sum was granted by an Act of Parliament,

N. B. Besides the ordinary Subsidy for the Duke of *Savoy* of 640000 Crowns *per ann.* there was granted him for the year 1706. 50000 *l.* and for the years 1709, 1710, and 1711. 100000 *l. per ann.* for the extraordinary Charges of the War in *Italy*.

N. B. By the Treaty with the King of *Prussia* of the 20th of *Novemb.* 1704. that a Body of 8000 Men of his

N. B. In the beginning of this War the Subsidies were equally divided betwixt *England* and *Holland*. But it appears by the Sums above-specified, that the Share of *England* amounts to

And that of *Holland* to 15790361

The Half of this Sum for *England* 7895180

So that *England* paid more than her Share 15790361

Both together 25270657

12635328

31550321

as above.

This Estimate is as exact as I could possibly make it, and taken out of the Books which were found in the Offices of the Secretaries of State and War, and likewise out of the Accounts given by those who were employ'd in this Service.

Sign'd,

H. St. John.

Troops should act in *Italy*, it was stipulated, that he should have 300000 Crowns *per ann.* one Half to be paid by *England*, and the other by the *Dutch*. But notwithstanding this Treaty is only sign'd by *England*, 'tis not doubted but the *Dutch* will agree to it. In the mean time we see as above, that *England* has paid her Two Thirds.

N. B. The Two Thirds of the Subsidy of a Million of Rixdollars for the King of *Portugal* have always been paid by *England*; tho it appears by the fifth Article of the Offensive Alliance, that this Sum ought to have been paid by the Emperor, *England* and *Holland*.

15790361

9480296

25270657

15790361

as above.

A Letter from the States-General to the Queen of Great Britain, about the Duke of Ormond's Orders not to fight; and the Bishop of Bristol's Declaration, That the Queen thought her self disingag'd from all Obligations to the Dutch.

M A D A M,

AFTER all the Proofs which your Majesty has given during the Course of your Glorious Reign, of your great Zeal for the Publick Good, and of your Adherence to the Common Cause of the Allies: After so many Marks as you have had the Goodness to give us, of your tender Affection, and of your Friendship to our Republick; and after the repeated Assurances which you have given us, and that very lately too, of your Intentions that your Troops should act against the Common Enemy, until the War was concluded by a General Peace; it was impossible but we should be surpriz'd and afflicted by two Declarations we have lately receiv'd, one after another, in the name of your Majesty; the first by the Duke of *Ormond* your General, That he could undertake nothing without new Orders from you; the other by the Bishop of *Bristol*, your Plenipotentiary to the Congress at *Utrecht*, That your Majesty perceiving that we did not answer as we ought the Proposals you had made us, and that we would not act, in concert with your Ministers, on the Subject of Peace, you would take your Measures apart, and that you did not look upon your self to be now under any Obligation whatever with respect to us.

As soon as we had notice of those Declarations, we sent Orders to our Minister, who has the Honour to reside at your Majesty's Court, to represent to you the Reasons of our Surprise, and the Consequences of those Declarations, and to request you, with that Respect which we always had for you, and which we shall for ever entertain for your Royal Person, that you would give other Orders to the Duke of *Ormond*, that he may act with all possible Vigour, according to the Reason of the War; and that your Majesty would have the Goodness to entertain other Sentiments of us, than those which the Bishop of *Bristol* has declar'd to our Plenipotentiaries at *Utrecht*.

But the more we consider those Declarations, the more important we find them, and the more we apprehend their Consequences;

sequences; therefore we could not forbear to apply our selves by this Letter directly to your Majesty, hoping that you will consider it, as we promise our selves you will, as well because of your great Prudence and Wisdom, as your so much fam'd Zeal for the publick Welfare, and particularly from your usual Friendship and Affection for us and our Republick.

We protest before all things, that as we have ever had a true Friendship as well as the highest Respect for your Majesty, and a sincere Affection to all your Interests, with an earnest Desire to live in a perfect good Understanding and Union with you; we have still the same Sentiments, and shall always preserve them, wishing for nothing more than to be able to give your Majesty the most convincing Proofs of it.

After this we pray your Majesty to consider, according to your great Penetration, whether we have not just ground to be surpriz'd, when we see a Stop put by an Order, in your Majesty's Name, without our Knowledg, to the Operations of the Confederate Army, the finest and strongest which perhaps has been in the Field during the whole Course of the War, and provided with all Necessaries to act with Vigour, and this after they had march'd, according to the Resolution taken in concert with your Majesty's General, almost up to the Enemy, with a great Superiority both as to Number and Goodness of Troops, and animated with a noble Courage and Zeal to acquit themselves bravely; so that in all human Appearance, and with the Divine Assistance, which we have experienc'd so fully on so many other occasions, we should have been able, either by Battel or Sieges, to gain great Advantage over the Enemy, to have better'd the Affairs of the Allies, and to facilitate the Negotiations of Peace.

We flatter our selves indeed with the Hopes which the Duke of *Ormond* has given us, that in a few Days he expects other Orders; but in the meantime we are sorry to see one of the finest Opportunities lost, being uncertain whether we shall have another so favourable, since the Enemy have time given them to fortify themselves, and take their Precautions; while the Army of the Allies lies still without Action, and consuming the Forage all round, deprive themselves of the means of subsisting for time to come in those Places, where by concert the Operations of the Campaign were design'd, which may make such Enterprizes impossible hereafter as were practicable now, and consequently render the whole Campaign unsuccessful, to the inestimable prejudice of the Common Cause of the High Allies.

Certainly when we consider the Army, as it really is, to be compos'd of the Troops of your Majesty and the other Allies, join'd together by common Concert to act for the greatest Advantage and Furtherance of the Common Cause, and the

Assurances which your Majesty had given us by your Letters, by your Ministers, and last of all by your General the Duke of *Ormond*, of your Intentions that your Troops should be order'd to act with their usual Vigour, as well as the Engagements into which your Majesty is enter'd, not only with respect to us, but also separately and jointly with us in respect to the other Allies; 'tis very difficult for us to conjecture and conceive how an Order so prejudicial to the Common Cause, given so suddenly, without our knowledge, and undoubtedly too without the knowledge of the other Allies, can correspond and subsist with the nature of an Alliance, and with those Assurances and Engagements just now mention'd. For tho according to the Declaration of the Bishop of *Bristol*, your Majesty holds your self to be disengag'd from every Obligation with regard to us, 'tis plain that the matter now in question is not our particular Interest or Advantage, but that of all the Allies, who will suffer by the Prejudice which an Order so little expected must needs bring to the Common Cause.

But, Madam, we cannot forbear telling your Majesty, that the Declaration made by the Bishop of *Bristol* at *Utrecht*, has no less surpriz'd us, than that of the Duke of *Ormond* in the Army. It appears to us so extraordinary, that we know not how to reconcile it with the great Goodness and Kindness that your Majesty has always honour'd us with; and not being able to conceive how such a sudden Change could happen with respect to us, we are not only surpriz'd, but afflicted at it. We have carefully examin'd our Conduct, and find nothing in it that can have given ground to that Dissatisfaction which your Majesty expresses with us by this Declaration.

From the very first Day that your Majesty ascended the Throne, we testify'd all the Deference that you could desire from a State in Friendship and Alliance with you. We carefully sought after your Amity and Affection; and considering the happy Effects which a good Intelligence, Harmony, and Union betwixt your Majesty and Us and the two Nations might produce, and have really produc'd, and the Advantage which resulted from thence to both one and the other, as well as to the Common Cause of all the Allies, we made it our business heartily to cultivate 'em, and more and more to gain your Majesty's Confidence, and to conform our selves to your Sentiments as much as possibly we could.

We think that we gave a signal Proof of this, particularly with regard to the Negotiations of Peace, since not only after we were inform'd of the Conferences formerly held in *England* upon this Subject, we did expect that your Majesty would give us an account of them; having this firm Confidence in your Friendship for our Republick, and in your Zeal for the Good

of the Common Cause, that nothing would be done to prejudice us, nor the other Allies: but also when your Majesty communicated to us the Preliminary Articles sign'd by M. *Mesnager* in *England*, and when you propos'd to us the calling and holding a Congress for a General Peace, and requir'd of us to grant for this end necessary Passports for the Enemies Ministers, we consented to it, tho we had many Reasons, which to us seem'd very well grounded, not to enter into such a Treaty without a better Foundation; or, at least, without the Concurrence of the other Allies: but we prefer'd your Majesty's Sentiments to our own, in order to give you a new Proof of our Deference.

We did no less, with respect to the Difficulties which were started on the Subject of the mutual Guaranty for the Succession of the Protestant Line to your Majesty's Kingdoms, and for our Barrier; a Treaty of such importance to the two Nations, that we look upon it as the strongest Tye that could be thought on to unite for ever the Hearts and Interests of both; concluded after the maturest Deliberation, and ratify'd on both sides in the most authentick Form. For tho we might have stood to the Treaty as it was, yet we enter'd into a Negotiation upon those Difficulties, and particularly on the Point of the *Assiento*, concerning which we gave our Plenipotentiaries such Instructions, that we no longer doubted but all the Difficulties would have been adjust'd to mutual Content, and that we should thereby have entirely regain'd your Majesty's Confidence; and so much the more, because in the first place, when the Meeting of a Congress for a General Peace was in hand, your Majesty declar'd to us by your Ambassador, That you desir'd no more than our Concurrence in that single Point, and this only Mark of our Confidence; and that then you would give us strong and real Proofs of your Affection towards us, and of your upright Intentions, with respect to the Common Cause of all the Allies: and that afterwards, when the Difficulties about the Succession and the Barrier were rais'd, your Majesty did likewise assure us, that if we would remit something upon the most essential Points, and particularly about the Affair of the *Assiento*, it would be the true way to re-establish a mutual Confidence; which being once restor'd, your Majesty would take particularly to heart the Interests of this State, and act in conjunction with us in the whole Negotiation, to obtain an honourable, good and sure Peace.

But we find our selves very much out in our Expectations, since at the very same time when we made the greatest Advances towards your Majesty, and that we did verily believe we should come to an Agreement about the Points in difference, we see the Earl of *Strafford* gone without finishing that Affair, we see the Army stop'd in the beginning of its Ca-

feer, and we hear a Declaration by which your Majesty looks upon your self to be disengag'd from all Obligations with us ; for which the Reasons alledg'd are, That we have not answer'd, as we ought, the Advances which your Majesty made towards us, and that we would not act in concert with your Ministers about the Peace.

If your Majesty will be pleas'd to look with a favourable and equitable Eye upon our Conduct, we flatter our selves, and have a firm Confidence, that you will find nothing in it which can give you such disadvantageous Ideas and Thoughts of us ; but that you will rather find, that we have perform'd, and do still perform, all that we owe, as good and faithful Allies ; and particularly, to your Majesty.

What we have said already, might perhaps be sufficient to persuade you of it ; but we must add, that having always esteem'd your Majesty's Affection, and a good Harmony betwixt the two Nations, as one of the strongest Supports of our State, and of the Protestant Religion, and as one of the most effectual Methods to maintain and advance our common Interest, and those of the whole Confederacy : and this sincere Opinion being firmly imprinted on our Hearts, we were never backward to communicate and consult in all confidence with your Majesty and your Ministers upon the Affairs of the Peace, according to the Foundations laid down in the Grand Alliance and other Treaties. We declare, that we have always been inclinable and ready to do it, and are so still, as far as we can, without prejudice to the other Allies, and without contravening the Engagements, Treaties and Alliances which we have enter'd into.

But, Madam, all the Proposals hitherto made to us upon that Subject were couch'd in very general Terms, without communicating to us the Result of the Negotiations betwixt your Majesty's Ministers and those of *France*, nor even your Majesty's Thoughts about the Subject ; which we ought to have concerted together. 'Tis true, that in some of the last Conferences your Majesty's Ministers demanded to know whether ours were furnish'd with a full Power, and authoriz'd to draw up a Plan for the Peace ; but it had been just, before such a thing was demanded of us, that they should have communicated the Result of the Negotiations so long treated of betwixt your Majesty's Ministers and those of the Enemy ; or, at least, they should have told us your Majesty's Thoughts.

Had that Plan related only to your Majesty's Interest and ours, we should perhaps have been in the wrong not to have forthwith come into it ; tho even in that case the Affair would not have been without its Difficulties, since the least Notice of it which should have come to the Enemy, must have been very prejudicial : But as the Plan in question concern'd the Interest

terest of all the Allies, and almost all *Europe*, we had very strong Apprehensions, That as the particular Negotiations betwixt your Majesty's Ministers and those of *France*, and the Readiness with which we consented to the Congress at *Utrecht*, and to the giving of Passports to the Enemy's Ministers, had already occasion'd abundance of Suspicions, and much Uneasiness to his Imperial Majesty and the other Allies: We say, we apprehended that his Imperial Majesty and the other Allies coming to know (which would have been very difficult to conceal from 'em) the Concert betwixt your Majesty's Ministers and ours for a Plan of Peace, and that before the Ministers of *France* had given a Specifick Answer to the Demands of the Allies, their Suspicions and Uneasiness would have increas'd, and that way of proceeding might have given them ground to entertain prejudicial Thoughts, as if it had been the Intention of your Majesty and Us to abandon the Grand Alliance and the Common Cause, or at least that We alone took upon us to determine the Fate of all the other Allies; by which his Imperial Majesty and the other Confederates might have been push'd on to separate Measures, and to take such steps as would be no ways agreeable to your Majesty's Interests.

We thought these Reasons strong enough to justify our Conduct to your Majesty on this head; and if we did not enter with all the haste which you might have wish'd for into the Concert propos'd, we hope that at most your Majesty will look upon our Backwardness only as an Excess of Prudence or of Scruple, and not in the least as a want of Confidence in your Majesty; while the Allies might have consider'd it as a Contravention of the Treaties, and particularly of the eighth Article of the Grand Alliance. We also hope, that your Majesty for the Reasons which are here alledg'd, will lay aside those hard Thoughts of Us, as if we had not answer'd as we ought to the Advances which your Majesty made towards Us, and that we would not act in concert with your Ministers upon the Subject of the Peace. But, Madam, tho your Majesty should not acquiesce in our Reasons (of which however we cannot doubt) we pray your Majesty to consider whether that be sufficient for your Majesty to think that you are disengag'd from all Obligations with respect to Us.

Had we contravened the Engagements and Treaties which we had the honour to conclude with your Majesty, we might have expected from your Goodness and Justice, that you would have represented those Contraventions to Us, and not have look'd upon your self to be disengag'd, till such time as we had refus'd to give all necessary Redress. But as we did no ways engage to enter with your Majesty into a Concert to draw up a Plan of Peace, without the participation of the

other Members of the Grand Alliance; the Backwardness which we have shewn upon that head cannot be look'd upon as a Contravention of our Engagements, and therefore cannot serve to disengage your Majesty from yours with respect to Us: since we are verily persuaded that we have truly answer'd all our Treaties, and all our Alliances, both with your Majesty, and with the High Allies in general; and that we have done more in this present War, than could in Justice and Equity have been expected from Us. All the difference betwixt your Majesty and Us in this point, is no more, if rightly consider'd, than a Disparity of Sentiments.

In truth, Madam, if for such a cause betwixt Potentates ally'd and united together by the strongest and strictest Ties of Alliance, Interest and Religion, any one of those Potentates could quit all their Engagements, and disengage themselves from all their Obligations; there's no Tie so strong which mayn't be broke at any time, and we know of no Engagements that could be rely'd on for time to come.

We assure our selves, that when your Majesty considers the Consequences, you will not persist in the Declaration which the Bishop of *Bristol* has made: We beseech you with all the Respect and all the Earnestness of which we are capable, that you would not; and also that you would be pleas'd to revoke the Order given to the Duke of *Ormond*, if it be not revok'd already, and that you would authorize him to act according to Occurrences, and as the Reason of the War and the Advancement of the Common Cause shall require.

We also request you, Madam, to communicate to Us the Result of the Conferences betwixt your Ministers and those of the Enemy, or at least your Thoughts upon the Peace; and we will endeavour to give your Majesty all imaginable Proofs of our Deference for your Sentiments, and of our sincere Desire to preserve your valuable Friendship as much as we can, without acting contrary to the Faith of the Engagements into which we have enter'd by Treaties and Alliances with your Majesty and other Potentates.

We are firmly persuaded, that it is not your Majesty's Intention in any manner to break them; since you have always been of the same Opinion with Us and the other Allies, That a good Union betwixt the Allies, not only during the present War, but also after the Peace shall be concluded, is and always will be the most solid, and even the only Method to preserve the Liberty and Independency of All together, and of every one in particular, against the Great Power of *France*.

We expect also, that after having given such great and signal Proofs of your Wisdom, of your Firmness, and of your Zeal for the Support of the Common Cause, your Majesty will not now take such Resolutions, as may be prejudicial to

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Us and to the other Allies; but that to obtain an honourable, sure and general Peace, you will pursue the same Methods, and keep to the same Maxims which you formerly held, and which the good God hath blessed in so remarkable a manner by Victories and great Events, which will make the Glory of your Majesty's Reign immortal.

We again renew to your Majesty the Assurances of our high and perfect Esteem for your Person and Friendship, as also of our Intentions and sincere Desires, to entertain with your Majesty the same good Correspondence, Harmony, and Union, as before, and to cultivate the same betwixt the two Nations, as far as it shall lie in our power: and we pray your Majesty, to preserve likewise for Us and our Republick your former Affection. We refer, for the rest, to what the *Sieur van Borselle*, our Envoy Extraordinary, has further to say to your Majesty on this Subject: And pray the Almighty, &c.

*The Treaty of the Suspension of Arms between
France and England, concluded at Paris the
19th of August, 1712.*

THERE being ground to hope for a happy Issue of the Conferences begun at *Utrecht*, by the Care of their most Christian and *Britannick* Majesties, for restoring a General Peace, and they having judg'd it necessary to prevent all the Events of War which might disturb the present Negotiation; their said Majesties, regardful of the Welfare of *Christendom*, have agreed upon a Suspension of Arms, as the most certain Means for procuring that general Welfare which they propose. And tho' hitherto her *Britannick* Majesty has not been able to persuade her Allies to enter into the same Sentiments; yet their Refusal so to do not being a sufficient Reason to withhold his most Christian Majesty from shewing, by actual Proofs, the Desire he has to re-establish, as soon as possible, a perfect Friendship and sincere Correspondence between him and the Queen of *Great Britain*, their Majesty's Kingdoms, Territories and Subjects; his said most Christian Majesty, after having trusted to the *English* Troops the keeping of the Town, Citadel and Forts of *Dunkirk*, as a Mark of his good Faith, consents and promises, as the Queen of *Great Britain* promises likewise on her part:

I. That there shall be a general Suspension of all Enterprizes and Deeds of Arms, and generally of all Acts of Hostili-

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ty between the Armies, Troops, Fleets, Squadrons and Ships of their most Christian and *Britannick* Majesties, during the Term of four Months, from the 22d of this present Month of *August*, to the 22d of the Month of *December* next.

II. The same Suspension shall be establish'd between the Garrisons and the Soldiers which their Majesties keep for the Defence and Guard of their Places, in all Parts where their Arms are, or may be, as well by Land as by Sea, or on other Waters; so that if it should happen that during the Time of the Suspension it should be broken on one side or other, by the taking of one or more Places, either by Attack, Surprise or secret Intelligence, in any part of the World whatever, that Prisoners be taken, or some other Acts of Hostility done, by some unforeseen Accident, of the nature of those which cannot be prevented, contrary to the present Cessation of Arms; such Contravention shall be made good on either side, *bona fide*, without Delay or Difficulty, by restoring, without any Diminution, what shall have been taken, and setting the Prisoners at liberty, without demanding any thing for their Ransom, or for their Expence.

III. To prevent likewise all Cause of Complaints and Contests, which may arise on occasion of Ships, Merchandize or other Effects, which may be taken at Sea during the time of the Suspension, 'tis mutually agreed, that the said Ships, Merchandizes and Effects, which may be taken in the *Channel* and in the *North Seas*, after the space of twelve Days, to be reckon'd from the signing of the abovesaid Suspension, shall be restor'd on both sides reciprocally.

That the Term shall be six Weeks for the Prizes taken from the *Channel*, the *British* Seas and the *North Seas*, to as far as *Cape St. Vincent*.

And also six Weeks, from and beyond that *Cape* to the Line, whether in the *Ocean*, or in the *Mediterranean*.

Lastly, Six Months beyond the Line, and in all other Parts of the World, without any Exception, or other more particular Description of Time and Place.

IV. As the same Suspension shall be observ'd between the Kingdoms of *Great Britain* and *Spain*, her *Britannick* Majesty promises, That none of her Ships of War or Merchant-Ships, Barks or other Vessels belonging to her *Britannick* Majesty, or her Subjects, shall hereafter be employ'd to transport or convoy to *Portugal*, *Catalonia*, or to any other of the Places where the War is now made, Troops, Horses, Arms, Clothes, and generally all Ammunitions of War and Provisions.

V. Notwithstanding which, it shall be free for her *Britannick* Majesty to cause Troops, Ammunition and Provisions, and other Necessaries, to be transported to the Places of *Gibraltar*

braltar and of *Port Mahone*, actually possess'd by her Arms, and which possession is to be left to her by the Treaty of Peace, as also to withdraw from *Spain* the *English* Troops, and generally all the Effects which belong to her in that Kingdom, either to send them to the Island of *Minorca*, or to have them brought to *Great Britain*; such Transports not being to be deem'd contrary to the Suspension.

VI. The Queen of *Great Britain* may likewise, without infringing the Suspension, lend her Ships to transport to *Portugal* the Troops of that Nation which are actually in *Catalonia*, and to transport to *Italy* the *German* Troops which are likewise in the same Province.

VII. Immediately after the present Treaty of Suspension shall be declar'd in *Spain*, the King makes no doubt that the Blockade of *Gibraltar* will be rais'd, and that the *English* Garrison, as well as the Merchants who shall be in that Place, may in all Freedom live, deal and traffick with the *Spaniards*.

VIII. The Ratifications of the present Treaty shall be exchange'd on both sides within fifteen Days, or sooner, if it can be done.

In Testimony of which, and by virtue of those Orders and Powers which we the underwritten have receiv'd from the most Christian King, and from the Queen of *Great Britain*, our Master and Mistress, we have sign'd these Presents, and caus'd the Seals of our Arms to be affix'd thereto. Done at *Paris* the 19th of August, 1712.

Colbert de Torcy.

Bolingbroke.

King Philip the Fifth's Renunciation of the Crown of France, for himself and his Posterity, 1712.

DON Philip, by the Grace of God, King of *Castile, Leon, Arragon, both Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Cordova, Jaen, the Algarves, Algizars, Gibraltar, the Canary Islands, the East and West Indies, and Terra Firma of the Ocean Sea, Archduke of Austria, Duke of Burgundy, Brabant and Milan, Count of Hapsburg, Flanders, Tirol and Barcelona, Lord of Biscay and Molina, &c.* For the Evidence and Publication of this Instrument and Writing of Renunciation and quitting Claim, and to preserve the Memory thereof for ever,

I do

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I do hereby notify and declare to all Kings, Princes, Potentates, Commonwealths, Communities, and Private Persons that now are, and shall be in future Ages : That whereas one of the chief Intentions of the Treaties of Peace now depending between the Crowns of *Spain, France and England*, is the Preservation of the Balance of Powers in *Europe*, in such manner, that too many being united together, this desir'd Balance and Equality may not be lost, to the Advantage of one of them, and to the Peril and endangering of the rest, and for the facilitating of a General Peace which may be firm and durable : It was propos'd and insisted on by *England*, and agreed to on my part, and that of the King my Grandfather, that to avoid, in all future times, the Union of this Monarchy with that of *France*; and that it may not happen in any Case, reciprocal Renunciations should be made on my part, and that of my Posterity, to any possibility of succeeding to the Monarchy of *France*, and on the part of those Princes, and all their Descendants present and to come, to any possible Succession to this Monarchy, by framing a distinct Narrative of the Abdication to be made by the two Royal Crowns of each Monarchy, of all the Rights they might claim of succeeding reciprocally to each other, separating by the lawful Means of my Renunciation my Branch from the Royal Stem of *France*, and all the *French* Branches from any Communication which might be deriv'd to them by Alliance of Blood with the Royal Stem of *Spain*. But at the same time, that for the above-mention'd Reasons care is taken that the Monarchy of *France* is never to be join'd to that of *Spain*, we must steddily pursue the fundamental and constant Maxim from which we are not in any case to depart, *viz.* the Preservation of a Balance of Power; therefore the Inconveniences are likewise to be avoided that would arise, if upon failure of my Issue this Monarchy should again devolve to the House of *Austria*, which by the addition of so considerable a Dominion to that of the Empire and Hereditary Countries, would become very formidable; which Consideration was thought sufficient in former Times for dismembring the Hereditary Dominions of the House of *Austria* from the Body of the *Spanish* Monarchy. It being for this purpose stipulated and agreed by *England* with me and the King my Grandfather, that upon failure of me and my Issue, this Monarchy shall fall to the House of *Savoy*, which being descended from the Infanta *Dona Catharina*, Daughter of King *Philip* the Second, and having never departed from that Claim, has an evident and known Right, that Friendship and perpetual Alliance being premis'd, which is to be fought and brought about, between the Duke of *Savoy* and his Posterity, and this Crown; since one ought

to believe that with this perpetual and firm Hope this Balance will never vary, with which all the Powers shall, thus in a friendly manner have brought themselves into an equal Poise, being tir'd with the Labours and Uncertainty of Battles, no Power being left to any one Party to alter this Balance settled by Treaty, by the means of any Contract, Renunciation or Retrospection; but the Reason of its perpetual Duration is to prevail, which induces the admitting it, and framing it into a fundamental Constitution, which, like an unalterable Law, shall regulate the Succession for the time to come. I have consider'd the Premises, and out of the Love I bear to the *Spaniards*, and the Knowledge I have of what I owe them, and in regard of the repeated Instances I have receiv'd of their Loyalty, and to shew to the Divine Providence, with the Resignation I owe to its Decrees, the Sense I retain of that great Blessing of having plac'd and maintain'd me upon the Government of so many Illustrious and Well-deserving Subjects, I have resolv'd to abdicate for me and all my Posterity any Right of succeeding to the Crown of *France*, being desirous never to depart from my Resolution of Living and Dying with my Beloved and Faithful *Spaniards*, leaving to all my Posterity the indissoluble Bond of their Loyalty and Love. And that this my Resolution may have its due Effect, and an end may be put to that which has been look'd upon as one of the chief Motives of the War wherewith *Europe* has been hitherto afflicted, of my own Motion, free, spontaneous and unconstrain'd Will, 'I Don *Philip*, by the Grace of God, &c. do, by this present Instrument, for my Self, my Heirs and Successors, for ever Renounce, Relinquish and quit Claim to all Pretensions, Rights and Titles which I or any of my Posterity have at this time, or may have at any time hereafter to the Succession of the Crown of *France*.' And I declare and hold my self excluded and separated, my Self and my Children, Heirs and Posterity for ever, excluded and disabled, absolutely and without Limitation, Difference and Distinction of Persons, Degrees, Sex and Time, from the Action and Right of succeeding to the Crown of *France*: And I Will and Consent for me and my said Posterity, that from this time for evermore, the same be held to be pass'd away and transfer'd to such Person as, thro my and their being excluded, disabled and incapacitated, shall be next in Succession, and immediately after the King, by whose Death a Vacancy shall happen; and the Succession to the said Crown of *France* ought to be settled upon and yielded to him, in whatever Time and Case it shall fall out; to have and to hold the same as lawful and true Successor, in the same manner as if I and my Posterity had not

been

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been born, or in being in this World ; for that we were to be consider'd and reputed as such, to the end that neither in my Person nor in theirs, any Foundation may be found or had for an active or passive Representation, Beginning or Continuation of a Line effective, or containing any Substance, Blood or Quality, or any Posterity may be deriv'd, or any Pedigree from the Persons of the *Most Christian King* my Lord and Grandfather, or the Lord *Dauphin* my Father, or the glorious Kings their Progenitors, or to any other effect, for entering into the Succession, or anticipating the degree of Kindred, or excluding from it the Person who, as is above-mention'd, shall be next in Succession. ' I Will and Consent ' for my Self, and for my Posterity, that from this time forth ' for evermore, this Right shall be look'd upon and consider'd ' as pass'd away and transfer'd to the Duke *de Berry* my Brother, and his Issue and Posterity, Male born, in constant ' lawful Wedlock ; and in default of his Issue Male, to the ' Duke of *Orleans* my Uncle, and to his Sons and Posterity ' Male born, in constant lawful Wedlock ; and in default of ' his Issue, to the Duke *de Bourbon* my Cousin, and to his Sons ' and Posterity Male born, in constant lawful Wedlock, and ' so on successively to all the Princes of the Blood of *France*, ' their Sons and Posterity, Male for ever, according to the ' Peace and Order in which they may be call'd to the Crown ' by virtue of their Birthright, and consequently to such of ' the said Princes as (upon the foremention'd Exclusion, Disability and Incapacity of me and all my said Posterity) may ' happen to be next in degree, immediately after such King, ' by whose Death the Crown of *France* should become vacant, ' and to whom the Succession may belong, at whatever Time ' and in whatever Case the same may happen, that he may ' enjoy it as lawful and true Successor, in the same manner as ' if I and my Posterity had not been born.' And as a Confirmation of the greater Validity of the Act of Abdication of all the Right and Title that might avail me, and all my Posterity, in regard to the said Succession to the Crown of *France*, I depart and desist particularly from that which might be deriv'd to me from the Right of Naturalization, by the Letters Patents or Instrument by which the King my Grandfather preserv'd and reserv'd to me, and enabled me to enjoy a Right of succeeding to the Crown of *France*, which Instrument was dispatch'd at *Versailles* in the Month of *December*, in the year 1700. and pass'd, approv'd and register'd by the Parliament ; and I Will that it shall not serve for a Foundation to the Purposes for which it was intended ; and I refuse and renounce it, and declare it null, void, and of none effect and cancel'd, and as if no such Instrument had ever been executed.

cuted. And I promise and oblige my self on the Faith and Word of a King, that in whatever depends on me and my said Children and Posterity that are and shall be, I will procure the Observation and Accomplishment of this Writing, without permitting or consenting that any thing be done to the contrary, directly or indirectly, in the whole or in part; and I desist and depart from all and whatever Remedies, known or unknown, ordinary or extraordinary, and that either of common Right or particular Privilege might avail me and my Children, and Posterity, to reclaim, assert or alledge any thing against the same. And I renounce them all, and especially that of the evident Lesion, enormous and most enormous, which may be look'd upon to have been in the quitting Claim, and renouncing the Right of being able to succeed at any time to the said Crown. I Will that none of the said Remedies, nor any other, of whatever Number, Efficacy, Importance or Quality they be, may avail or be of any use to us. And if in Fact, or under any Colour, we should attempt to seize the said Kingdom by force of Arms, or should make an Offensive or Defensive War against it, that from this present time, and in all time to come, it be judg'd and declar'd unlawful and unjust, and wrongfully undertaken, by Violence, Invasion and Usurpation, against Reason and Conscience; and on the contrary, that may be judg'd and call'd just, lawful and allowable, which shall be made or undertaken in behalf of him, who, by the Exclusion of Me and my said Children and Posterity, is to succeed to the said Crown of France, whom his natural Subjects are to receive, and to obey him, and to yield and swear to him the Oath of Homage and Fealty, and to serve him as their lawful King and Lord: And this quitting Claim and Renunciation for Me and my said Children and Posterity, is to continue firm, stable, valid and irrevocable for ever, and in all times to come: And I assert and promise, that I have not made nor will make any Protestation, or reclaiming publicly or privately to the contrary hereof, which might hinder or lessen the Validity of what is contain'd in this Writing; and that if I shou'd make any, tho it were upon Oath, it shall not be valid, or of any force or effect. And for the greater Validity and Certainty of what is contain'd in this Renunciation, and of what I therein assert and promise on my part, I do again engage my Royal Faith and Word, and I solemnly swear by the Gospels contain'd in this Missal, on which I lay my Right Hand, That I will observe, maintain and fulfil this Act and Instrument of Renunciation, both for me and all my Successors, Heirs and Posterity, in all the Clauses therein contain'd, according to its most natural, literal and plain Meaning and

560 *K. Philip the Fifth's Renunciation.*

and Confirmation.' And that from this Oath I will not demand to be releas'd, and if it be by any particular Person demanded or granted of their own Motion; I will not make any Use or Advantage of it; but in case the same should be granted, I swear another like Oath, That I will always preserve and maintain this one, against all Dispensations that might be granted me. And I execute this Writing before this present Secretary, Notary of this my Kingdom, and sign the same, and cause it to be seal'd with my Royal Seal.

The Contract of Marriage

*The Contract of Marriage of the most Christian King with the most Serene Infanta, eldest Daughter of the Catholick King.
The 7th of November, 1659.*

LEWIS, by the Grace of God, King of *France* and *Navarre*. To all those who shall see these present Letters, Greeting. Whereas the Treaty of Marriage between Us and the most Serene Infanta of *Spain* Donna *Maria Theresa*, eldest Daughter of our most Dear and most Beloved Brother and Uncle, Don *Philip IV.* of that Name, King of *Spain*, has been concluded, agreed on and sign'd by our most Dear and most Beloved Cousin, Cardinal *Mazarini*, on our part; and the Lord Don *Lewis Mendez de Haro*, on the part of the said King of *Spain*, on the 7th Day of *November*, in the Isle call'd *the Isle of Pheasants*, in the River of *Bidassoa*, on the Confines of the two Kingdoms of *France* and *Spain*, by virtue of their Powers and Commissions: By the last Article of which Treaty our said Cousin Cardinal *Mazarini*, having promis'd and stipulated in our Name, to cause our Letters of Ratification to be furnish'd in the usual form and manner, and to cause the same to be deliver'd within thirty Days, with Derogation from any Laws, Customs and Dispositions, which might be contrary to the said Treaty, of which the Tenor followeth.

In the Name of the most Holy Trinity, Father, Son and Holy Ghost, three Persons in one only True God, to his Honour and Glory, and for the Good of these Kingdoms.

We it known to all Persons who shall see these present Letters and Contract of Marriage. *That whereas* in the Isle call'd *the Isle of Pheasants*, situated in the River of *Bidassoa*, half a League from the Burgh (or Borough) of *Audage*, in the Province of *Guyenne*,

2 French King's Contract of Marriage

and at the same distance from the Town of *Irun*, in the Province of *Guipuscoa*, and in the House this year built in the said Isle, there to treat concerning the Peace between their most Christian and Catholick Majesties, this 7th of *November*, in the year reckon'd since the Birth of *Jesus Christ* our Lord and Redeemer, 1659. before me *Peter Colona*, Knight of the Order of *St. James*, Lord of the Towns of *Chozas*, of *Cavales*, and of *Tunchillen*, of the Council of the *Indies*, Secretary of State, Scribe and Notary to his Royal Catholick Majesty; appear'd the most Eminent Lord *Messire Julius Mazarini*, Cardinal of the Holy *Roman Church*, Duke of *Maine*, Chief of all the Councils of the most High, most Excellent, and most Mighty Prince *Lewis XIV.* by the Grace of God most Christian King of *France* and of *Navarre*, by virtue of the Power he has from his most Christian Majesty, written in the *French* Tongue, sign'd with his Royal Hand, and seal'd with his Royal Seal, countersign'd by the *Sieur de Lomenie*, his Secretary of State; given at *Paris* the 21st Day of *June* 1659. which Power remains in my hands, and the Copy of which shall be inserted at the end of these Presents, on one part: and on the other part, the most Excellent Lord Don *Lewis Mendez de Haro*, and *Gusman Marquis of Carpio*, Count Duke of *Olivarez*, perpetual Governor of the Royal Palaces, and Arsenal of *Seville*, perpetual Great Chancellor of the *Indies*, of his Catholick Majesty's Council of State, Great Commander of the Order of *Alcantara*, Gentleman of his said Majesty's Bedchamber, and his Master of the Horse. And in the Name of the most High, most Excellent, and most Mighty Prince *Philip IV.* also by the Grace of God, King of *Castile*, *Leon*, *Arragon*, of the two *Sicilies*, of *Jerusalem*, of *Portugal*, of *Navarre*, and of the *Indies*, &c. Archduke of *Austria*, Duke of *Burgundy*, of *Brabant* and of *Milan*, Earl of *Hapsburg*, of *Flanders* and of *Tirol*, &c. And by virtue of the Power which he has from his Catholick Majesty, by a Deed sign'd with his Royal Hand, seal'd with his Royal Seal, and countersign'd by Don *Ferdinand de Fonseca*, *Ruiz de Contreras*, his Secretary of State; given at *Madrid*, the 5th Day of *July* of this present Year; as King, Father and lawful Administrator of the most Serene Infanta,

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the Lady *Maria Theresa* his eldest Daughter, and of the late Queen *Elizabeth*, his lawful Spouse: And the foresaid Lord Cardinal *Mazarini*, in the Name of his most Christian Majesty, and the Marquis Count of *Olivarez*, in the Name of his Catholick Majesty, by virtue of their Powers aforesaid, said and declar'd, That their Majesties, as most Christian and Catholick Kings, who have much at heart the Good of their Kingdoms, and the Confirmation of the Peace which is now making between the two Crowns; desiring that the Duration of this Peace may not only extend to that of their Majesties Lives, but may pass with the same Firmness to their Successors and Descendants; and judging that the most effectual Means to attain that Blessed End, is to renew straitly their Alliances, by the Bond of a happy Marriage: Their Majesties, with the Grace of God, and for his Service, have treated and agreed upon the Espousals and Marriage of his Majesty the most Christian King with the most Serene Infanta, the Lady *Maria Theresa*, his Catholick Majesty's eldest Daughter; to the end to confirm the more by that new Tie, the Love, Friendship and Union which is, and which is desir'd to be preserv'd between their said Majesties. And for that effect, the aforesaid Lords Plenipotentiaries, in the Names aforesaid, have treated and agreed upon the following Articles.

That, with the Grace and Blessing of God, his Holiness's Dispensation being first obtain'd, by reason of the Proximity of Blood between the most Christian King and the most Serene Infanta, they shall cause their Espousals and Marriage to be celebrated by † Proxy, according to the Form and Solemnity prescrib'd by the Sacred Canon, and the Constitutions of the Catholick, Apostolick and *Roman* Church: which Espousals and Marriage shall be perform'd at his Catholick Majesty's Court, wheresoever it shall be, with the most Serene Infanta, the Lady *Maria Theresa*; and that by virtue

† The Term is in the Original Paroles de Present; I cannot apprehend any other Meaning it can have, but the Words and Engagements in the Office of Matrimony, pronounc'd by the King's Proxy, at the Ceremony of Marriage.

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of the Commission of the most Christian King, who shall ratify and accomplish the same in Person, when the most Serene Infanta, the Lady *Maria Theresa*, shall be conducted to, and arriv'd in *France*; his Majesty joining himself with her Highness, and receiving the Blessings of the Church: And the Conclusion and Ratification of the said Marriage, whether by a special Power or in presence, shall be made when, and at the time concerted between their Majesties.

That his Catholick Majesty promises and obliges himself to give, and shall give to the most Serene Infanta, the Lady *Maria Theresa* as her Portion, and in favour of her Marriage with the most Christian King of *France*, and shall pay to his most Christian Majesty, or to the Person who shall have Power and Commission from him, the Sum of 500000 Crowns of Gold, or their just Value, in the City of *Paris*: which Sum shall be paid in the following manner; one Third at the time of the Consummation of the Marriage; another Third at the end of one Year after the Consummation of the Marriage, and the last Third six Months afterwards; so that the entire Payment of the said Sum of 500000 Crowns of Gold, or their just Value, shall be made in Eighteen Months, at the Terms, and in the Manner just now specify'd.

That his most Christian Majesty obliges himself to settle, and shall settle the Portion of the most Serene Infanta, the Lady *Maria Theresa*, upon good Rents and well assur'd, and upon valuable Funds and Assignments, to the satisfaction of his Catholick Majesty, or the Persons whom he shall appoint for that effect, in such measure and proportion as his said Majesty shall receive the 500000 Crowns, or their just Value, at the Terms above express'd; and shall forthwith send to his Catholick Majesty, the Deeds of the foresaid Assignment and Consignment of Rents: and in case of the Dissolution of the Marriage, and that the Restitution of the Portion take place according to Law, it shall be restor'd to the most Serene Infanta, or to the Person who shall be entitled, or have Power from her Highness; and during the time which shall elapse that her said Portion shall not be restor'd, her Highness, her Heirs and Successors shall enjoy the Revenue of the said 500000 Crowns of Gold,

Gold, at the rate of 5 per Cent. which shall be paid by virtue of the said Assignments.

That upon Condition of the effectual Payment to his most Christian Majesty of the said 500000 Crowns of Gold, or their just Value, at the terms before express'd, the most Serene Infanta shall hold herself contented, and shall be satisfy'd with the foresaid Portion, without alledging henceforth any Right, or intending any Action or Demand, pretending that there does or can belong to her any greater Estate, Right, Reason or Action, by reason of the Inheritance or greater Successions of their Catholick Majesties her Father and Mother; or by Contestation of their Persons in any other manner, or for any other Cause or Title whatsoever, *whether she knew it, or were ignorant of it*; since of whatever Quality or Condition the abovesaid Actions or Things may be, she ought to remain excluded: and before the celebrating of her Espousals, she shall make a Renunciation in good and due Form, and with all the Assurances, Forms and Solemnities which are requisite and necessary: which said Renunciation she shall make before she is marry'd by Proxy, which immediately after her Marriage she shall ratify and approve, jointly with the most Christian King, with the same Form and Solemnities that she shall observe at her said first Renunciation, to wit, with the Clauses which shall be found *the most convenient and necessary*. To the Effect and Accomplishment of which Renunciation, his most Christian Majesty and her Highness, shall, and do from this present time, remain as then oblig'd; and in case they do not make the said Renunciation and Ratification, by virtue of this present Contract by Capitulation, the foresaid Treaties, Renunciation and Ratification shall be held and deem'd from this present, as then, as well and duly made, pass'd and granted; which shall be done in the most authentick and effectual Form that may be, to render the same good and valid; together with all the Clauses derogatory from any Law, Jurisdiction, Custom, Right and Constitutions thereunto contrary, or which might hinder in the whole or in part, the said Renunciations or Ratifications: From which, for the Effect and Validity above, their most Christian and Catholick Majesties shall derogate, and do from this present

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sent entirely derogate; and by reason of the Approbation and Ratification which they shall make of this present Contract and Capitulation, they shall and do from this present, as then, understand and mean to have derogated from all Exceptions above-mention'd.

That whereas their most Christian and Catholick Majesties have agreed and do agree to conclude the Marriage, for the better perpetuating and securing by that Knot and Bond the Publick Peace of *Christendom*, and between their Majesties the brotherly Love that is expected betwixt them; and also in Contemplation of the just and lawful Causes, which shew and persuade the Equality and Convenience of the said Marriage, by means whereof, and by the Grace and Favour of God, very happy Events may be expected, to the great Good and Increase of the Christian Faith and Religion, to the Benefit and Happiness of the Kingdoms, Subjects and Vassals of the two Crowns; as also for what touches and concerns the Publick Welfare, and the Preservation of the two Crowns, which being so great and powerful cannot be united into one; and for preventing from this present time any occasion of such an Union. Wherefore, considering the Qualities of the aforesaid Persons, and other just Reasons, and notably that of the Equality that is to be preserv'd; their Majesties grant and agree by a conventional Pact and Contract between them, *which shall issue and have the Place, Force and Vigour, of a firm and stable Law for ever, in favour of their Kingdoms, and of the Publick Good thereof;* That the most Serene Infanta of *Spain*, the Lady *Maria Theresa*, and the Children to be born of her, whether Male or Female, and their Descendants, of the First, Second, Third or Fourth Generations, of whatsoever Degree they may be, **EVEN FOR EVER**, cannot succeed, nor shall succeed to the Kingdoms, States, Lordships and Dominions which do belong and shall belong to his Catholick Majesty, and which are contain'd under the Titles and Qualities mention'd in this present Capitulation, nor to any other of his Kingdoms, States, Lordships, Provinces, Isles adjacent, Fiefs, Captainries, nor to the Frontiers which his Catholick Majesty possesses at present, or which belong to him, or may belong to him, as well within as without
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the Kingdom of *Spain*; and which in time to come, his said Catholick Majesty or his Successors, shall have, possess, and shall belong to them, nor to any therein comprehended, or depending thereupon, nor even to any which in time to come, whensoever that may happen, his said Majesty may purchase, acquire and add to his said Kingdoms, States and Dominions, or which he may disengage, or which may fall to him by Devolution, or by any other Title, Right or Reason whatsoever, whether it should be during the Life of the said most Serene Infanta, the Lady *Maria Theresa*, or after her Death in that of any of her Descendants of the First, Second, Third or more remote Generations, that the Case or the Cases shall happen, by which either by Right, or by the Laws and Customs of the said Kingdoms, States and Dominions, whether by the Disposition of Titles, or Pretensions, whereby they might succeed, or pretend to succeed to the said Kingdoms, States and Dominions, the Succession ought to belong to them. In all which Cases, from this present time, the said Lady *Maria Theresa* says and declares herself to be well and duly excluded, together with all her Children and Descendants, Male or Female, altho they would, or might say or pretend that the foresaid Reasons of Publick Interest, or any other upon which the said Exclusion might be founded, do not take place, nor can, nor ought to be consider'd, to the prejudice of their Persons; or tho they would alledg (which God forbid) *That the Line of his Catholick Majesty, and of his most Serene Princes and Infanta's; and moreover, of the Males which he has or may have for his Successors, were extinct or fail'd, by reason that as it has been said, neither he, nor they her Heirs or Descendants, can in any case, at any time, or in any manner that can happen, succeed or pretend to succeed, notwithstanding all Laws, Customs, Ordinances and Dispositions, by virtue whereof any have hitherto succeeded to the aforesaid Kingdoms, States and Dominions. And also notwithstanding all the Laws and Customs of the Crown of France, which oppose the said Exclusion to the prejudice of the Successors to that Crown, as well for the present as for the future; and in the Cases which would have delay'd for a long time the said Successions. From all which Considerations, and from every one of them*

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in particular, their said Majesties do derogate, in as far as they hinder or are contrary to the Contents of this Contract, or the Accomplishment and Execution thereof: From which they do derogate in order to the Approbation and Ratification of this present Capitulation, and hold the same to be derogated accordingly. They will and intend that the most Serene Infanta and her Descendants, remain in time to come, and for ever incapable of succeeding at any time or in any case, to the States of the Countrey of *Flanders*, County of *Burgundy* and *Charolois*, their Appurtenances and Dependencies. In the same manner also they declare most expressly, that in case the most Serene Infanta should remain a Widow (which God forbid) without Children by this Marriage, that then she shall be free and absolv'd from this Exclusion, and moreover declar'd capable of her Rights, and of the Succession of all that may belong or fall to her, in two Cases only; the one, if she remaining a Widow after this Marriage, should come back to *Spain*; the other, if for reasons of State, for the Publick Good, and for just Considerations she should marry again, according to the Will of the Catholick King her Father, or the Prince her Brother: In which two Cases she shall remain capable and able to succeed and inherit.

That the most Serene Infanta, the Lady *Maria Theresa*, before the Celebration of her Marriage by Proxy, shall give, promise and grant a Writing, by which she shall be oblig'd, as well for herself as her Heirs and Successors, to the Accomplishment and Observation of what is above and of her own Exclusion, and that of her Descendants; shall approve and ratify the Whole as it is contain'd in this present Capitulation, with the necessary and requisite Clauses and Oaths: and inserting the foresaid Obligation and Ratification which her Highness shall have given and made of this present Capitulation, she shall make another such like, jointly with the most Christian King, as soon as she shall be espous'd and marry'd, which shall be enter'd in the Records of the Parliament of *Paris*, according to the usual Form, with the other necessary Clauses. As also on the part of his Catholick Majesty, he shall cause the Renunciation, to be approv'd and ratify'd, with the necessary Clauses, with the usual Form and Vigour;

Vigour; and shall also cause the same to be enter'd in the Records of his Council of State. And whether the said Renunciations, Ratifications and Approbations be made or not made; they shall from this present time, and by virtue of this present Capitulation, and of the Marriage which shall ensue thereupon, and in contemplation of all the things aforesaid, be held and deem'd well and truly made and granted, and as pass'd and enter'd in the Records of the Parliament of *Paris*, by the Publication of the Peace in the Kingdom of *France*.

That the most Christian King shall give to the most Serene Infanta, the Lady *Maria Theresa*, for her Rings and Jewels, the Value of 50000 Crowns of Gold, which with all the others that she shall carry with her, shall belong to her without difficulty, as Goods of her Patrimony, fit for her Highness, and for her Heirs and Successors, or those who shall have their Right and Title. That his most Christian Majesty, according to the antient and laudable Custom of the House of *France*, shall assign and constitute to the most Serene Infanta, the Lady *Maria Theresa*, for her Dowry, 20000 Crowns of Gold yearly, which shall be assign'd upon Revenues and Lands where there shall be a Court of Judicature; of which the chief Place shall have the Title of a Dutchy, and consecutively to the value of the aforesaid Sum of 20000 Crowns of Gold every Year: which Place and Titles so given and assign'd, the said most Serene Infanta shall enjoy in her own Person, and by her Authority, and that of her Commissioners and Officers, and shall have a Court of Justice, as it has been always practis'd. Furthermore, to her shall belong the Provision of all the vacant Offices, as the Queens of *France* have been accusom'd to have; provided always notwithstanding, that the said Offices shall be given to none but native *Frenchmen*; as also the Administration and Farms of the said Lands, according to the Laws and Customs of the Kingdom of *France*: of which aforesaid Assignment the said most Serene Infanta, the Lady *Maria Theresa*, shall enter into possession and Enjoyment as soon as her Dowry shall take place, to enjoy the same during her Life, whether she shall remain in *France*, or retire elsewhere out of *France*.

That

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That his most Christian Majesty shall give and assign to the most Serene Infanta the Lady *Maria Theresa*, for the Expence of her Chamber, and Entertainment of her State and Household, a convenient Sum, sutable to the Wife and Daughter of such great and mighty Kings; assigning the same to her in the form and manner wherein it is usual to make Assignments for such Settlements in *France*.

That the most Christian King, and the most Serene Infanta the Lady *Maria Theresa*, shall espouse and marry each other, by a Proxy to be sent by the most Christian King to the most Serene Infanta, by the word of one present; which done, his Catholick Majesty shall cause her to be conducted at his Expence to the Frontiers of the Kingdom of *France*, with the Dignity and Splendour that becomes the Wife and Daughter of such great Kings; and in like manner shall she be receiv'd by the most Christian King.

That in case the Marriage between his most Christian Majesty, and the most Serene Infanta the Lady *Maria Theresa*, be dissolv'd, and her Highness survives his most Christian Majesty, in that case she may freely, and without any Impediment whatsoever, return to the Kingdom of *Spain*, or to the Places or Countries which she shall think convenient out of *France*, whensoever she shall think fit, with all her Goods, Portion and Dowry, Rings, Jewels and Vestments, Plate and other Movables whatsoever, with her Officers and Servants of her Household: to which no Opposition shall be made, for any reason whatsoever, that shall or may happen; nor any stop put to her Departure, directly or indirectly, or any Impediment to the enjoying or recovering of her said Portion and Dowry, or other Assignments made, or which ought to have been made to her. And for that purpose his most Christian Majesty shall give to his Catholick Majesty, on behalf of the said most serene Infanta the Lady *Maria Theresa* his Daughter, such Letters of Security as shall be necessary, sign'd with his own Hand, and seal'd with his Seal; and from henceforth as then, his most Christian Majesty shall for himself, and the Kings his Successors, promise and assure them thereof, upon the Faith and Word of a King.

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This Treaty and Agreement of Marriage is made, with the design to beseech our Holy Father the Pope, as at this present time their Majesties do beseech him, that he would be pleas'd to approve it, and give his Apostolical Blessing to it ; as also to approve the Capitulations and Ratifications which their Majesties and her Highness shall have made, and the Writings and Oaths which shall be made for its Accomplishment, inserting the same in his Letters of Approbation and Benediction. That their most Christian and Catholick Majesties shall approve and ratify this present Capitulation, and every thing contain'd therein ; shall promise and oblige themselves, upon their Faith and Royal Word, inviolably to keep and accomplish the same ; shall deliver their Briefs or Letters to that effect in the usual Form, with Clauses derogatory from any Laws, Rights or Customs contrary thereunto, and from which it is convenient to derogate : Which said Briefs, or Letters of Ratification of this present Writing, they shall deliver to each other respectively, within thirty days, to be computed from the day of the date of these Presents, by the means of the Ambassadors and Ministers, who shall be resident at the Courts of their most Christian and Catholick Majesties, with the Obligation and Pledg of their Faith and Royal Word, that they will fulfil and keep the same, and command it to be entirely observ'd and kept, without any failure whatsoever, in all or any part thereof ; and that they shall not go about or attempt, or suffer any thing to the contrary to be gone about or attempted, directly or indirectly, or in any other manner or way whatsoever : for so the said Lords Plenipotentiaries have promis'd and stipulated, by virtue of the Powers they have from their Majesties. At which were present, on the part of *France*, Messieurs the Duke of *Guise* ; the Count of *Harcourt*, Great Master of the Horse, and Governor of *Alsacia* and *Philipsburg* ; the Marshal *de Clerembaud*, Governor of *Berry* ; the Duke of *Crequy*, first Gentleman of the Bedchamber of the aforesaid Lord the most Christian King ; the Bailiff of *Souvre*, Count of *Olonne* ; the Marquiss of *Vardes*, Captain of the hundred *Switzers* of his said Majesty's Guard ; the Marquiss of *Soyecourt*, Master of his said Majesty's Wardrobe ; *De Lyonne*, Minister of State ; *Courtin*, one of the

the Masters of Requests of his said Majesty's Household ; *Devaun*, also Master of Requests of the said Household, and several other Lords and Chevaliers. And on the part of *Spain*, Messieurs the Marquiss of *Mondejar*, Gentleman of the Bedchamber of the said Lord the Catholick King ; the Duke of *Mazara* and *Maqueda* ; the Marquiss of *Balbazes*, Captain-General of the Gens-d'arms of the State of *Milan* ; the Licentiate Don *Joseph Gonsulcz*, of the Council and Chamber of his said Majesty, and President of his Finances ; the Licentiate Don *Francisco Ramos* of *Manzano*, of his said Majesty's Sovereign Council of *Castile* ; the Baron of *Bateville*, of his said Majesty's Council of War, and his Captain-General in the Province of *Guipuscoa* ; Don *Rodrigue* of *Alaxica*, of his said Majesty's Council of War, and Camp-Master-General of the Army of *Estremadura*, and several other Lords and Chevaliers. And the said Lords Contractants sign'd it with their Hands and Names, and requir'd of me a Copy of all this Capitulation, and of all those that shall be translated and render'd into another Language, which might be necessary for them. Sign'd, The Cardinal *Mazarini*, and Don *Lewis Mendez*. Made and pass'd before me the aforesaid Secretary, Scribe and Notary Publick, the Year and Day aforesaid. Sign'd *Pedro Colona* ; in witness of the Truth, *Pedro Colona* with a flourish.

The Tenour of the full Power given by the most Christian King to Cardinal Mazarine, to treat of his Marriage with the most Serene Infanta, the Lady Maria Theresa of Spain.

LEWIS, by the Grace of God, King of *France* and *Navarre* ; To our most dear and most beloved Cousin the Cardinal *Mazarine*, Greeting. Whereas by the Treaty of Peace made between Us, and our most dear and most beloved good Brother and Uncle the King of *Spain*, Don *Philip IV.* and sign'd by our Plenipotentiaries the 4th of this present month of *June*, it is stipulated and agreed, that you our said Cousin, as our first and chief Minister, and the first and chief Minister of
our

our Brother and Uncle, should forthwith transport your selves to the Frontiers of the two Kingdoms, with sufficient Powers, there, amongst other things, to agree together, on the reciprocal Conditions of our Marriage with the most Serene Infanta of *Spain*, Donna *Maria Theresa*, eldest Daughter of our said good Brother and Uncle, whom we have declar'd, by the aforesaid Treaty of Peace, that we do desire for our Spouse, because of the singular Esteem which we have for her Person, and for the rare and excellent Qualities of so great a Princess: And our said Brother and Uncle having likewise declar'd by the same Treaty, by his Plenipotentiary, that it is his Intention to grant her to us, the said Marriage being otherwise the most certain means for settling the Duration of the said Peace, and rendering our Friendship and Ties with our said Brother and Uncle more indissolvable, *for the Good and Advantage of Christendom, and the common Repose of our Subjects.*—For these Causes, fully confiding in the capacity of you our said Cousin the Cardinal *Mazarine*, and in your Loyalty, Prudence, Experience and Diligence, of which you give us on all occasions such signal and important Proofs, we have commission'd, order'd and deputed you, and do by these Presents, sign'd with our Hand, commission, order and depute you, to settle and agree, whether with the said first and chief Minister of our most dear Brother and Uncle the King of *Spain*, or others his Ministers and Deputies, having his Letters of Power pass'd in good and due form, upon the Pacts, Articles and Conditions of the said Marriage between us and the said most Serene Infanta, Donna *Maria Theresa*, eldest Daughter of the said Lord the Catholick King; the Time or the Place where it shall be celebrated, whether by the word of one present, or other ways, to accomplish and perfect the same, according to the Holy Decrees and Canons of the Catholick, Apostolick and *Roman* Church. To agree upon the Portion, Dowry, and Assignments thereof, to settle the Terms of Payment of the said Portion, and to give and accept on either side the Securities, Promises and Obligations which shall be necessary for the Accomplishment and Execution of all that shall be agreed and settled by you; and to promise, in our name, that we shall ratify and approve all that shall be

done, said and agreed to by you, in the business of the said Marriage, and generally in all the Premises, their Circumstances and Dependences, to do, stipulate, procure, demand, negotiate, conclude and sign, in the very same manner that we would or might do, if we were there personally present, altho the Case should require more special Mandate than is contain'd in these Presents. Promising upon the good Faith and Word of a King, by these Presents sign'd with our Hand, to approve and hold firm and stable for ever, ratify, accomplish and execute what shall by you be done, said and stipulated, procur'd, demanded, negotiated, concluded, promis'd, granted and sign'd concerning the said Marriage, and every thing depending thereon, without ever going about, or attempting any thing to the contrary, directly or indirectly: For doing whereof we have given, and do give you full Power, Ability and Authority, Commission and special Command. For such is our Pleasure. Given at *Paris* the 29th day of *June*, the year of Grace 1659. and of our Reign the Seventeenth. Sign'd, *Lewis*. And lower, by the King's Command, *De Lomenie*.

The Tenour of the most Christian King's Ratification of the foresaid Treaty.

WE, with the Advice of the Queen, our most honour'd Lady and Mother, of our most dear and most beloved only Brother the Duke of *Anjou*, of several Princes, Dukes, Peers and Officers of our Crown, and other great and notable Personages of our Council: After we had caus'd the said Treaty to be read to us word by word, have agreed, approv'd and ratify'd the same in all and every the Points and Articles thereof, and do agree, approve and ratify it by these Presents, sign'd with our Hand: Promising upon the good Faith and Word of a King to accomplish the same, and cause it to be observ'd and kept inviolably, without ever going about or attempting any thing contrary thereunto, directly or indirectly, in any way or manner whatsoever; derogating for that end, as we do derogate, from all Laws, Customs and Dispositions to the contrary. For such is our Pleasure. In witness whereof, we have caus'd

His Mandate to the Parliament of Paris. 15

caus'd our Seal to be affix'd to these said Presents. Given at *Thoulouse* the 24th day of *November*, the year of Grace 1659. and of our Reign the Seventeenth, sign'd, *Lewis*. And lower, by the King's Command, *De Lomenie*.

His most Christian Majesty's Mandate to the Parliament of Paris, for enregistering his Contract of Marriage with the Infanta of Spain.

WE have nothing more at heart than the accomplishing, and causing to be accomplish'd on our part, all that is contain'd in the Treaties and Acts above inserted; and being desirous that the whole should be verify'd in our Court of Parliament of *Paris*: For these Causes we command and ordain most expressly, by these Presents, sign'd with our Hand, our trusty and beloved Counsellors, the Persons holding our said Court of Parliament, that they cause these said Presents to be publish'd and recorded, and the Contents thereof, and of the Treaties and Acts above-inserted, to be maintain'd, kept and observ'd inviolably, according to their Form and Tenour, without contravening or suffering any Contravention thereunto in any manner; compelling, and causing to be compel'd, all Persons to whom it shall belong, to the Observation of all the Points and Articles contain'd in the said Treaties, and that by all due and usual means in such Cases; notwithstanding all Edicts, Ordinances, Customs, as well general as local, Restrictions, Mandates and Prohibitions whatsoever contrary thereunto; from which, in regard to the Contents of the said Treaties, we have derogated, and do derogate by these Presents. For such is our Pleasure. In witness whereof we have caus'd our Seal to be affix'd hereunto. Given at *Vincennes* the 21st day of *July*, the year of Grace 1660. and of our Reign the Eighteenth, sign'd *Lewis*. And lower, by the King's Command, *De Guenegaud*, and seal'd upon a double Label with the Great Seal of yellow Wax. And underneath is written,
The like Letters Patent have been sent to the Chamber of Accounts, and the Court of Aids, to the Effect aforesaid.

The most Christian King's Commission to his Attorney General, to the purpose aforesaid.

LEWIS, by the Grace of God, King of *France* and *Navarre*: To our Trusty and Beloved Counsellor in our Council of State, and our Attorney General in our Court of Parliament of *Paris*, the Sieur *Fouquet*, Greeting. God having blest our Reign with the Conclusion of a happy Peace, and of our Marriage, the Treaties whereof are settled between us and our most dear and most beloved Brother, Uncle and Father-in-law, the Catholick King, by the Ministry and Interposition of our most dear and most beloved Cousin the Cardinal *Mazarine* on our part, and that of our most dear and well-belov'd Cousin, Don *Lewis Mendez de Haro*, Count Duke of *Carpio* and of *Olivarez*, first Minister and Plenipotentiary of *Spain*, on the part of our said Brother, Uncle and Father-in-law, sign'd by them, and ratify'd as well by us as by the said Catholick King. And willing that the aforesaid Treaties, and the other Acts inserted with them, which we do now send you, together with our Letters Patent, should be publish'd and enregister'd in our Court of Parliament, in the same form that was observ'd at the Treaty of *Vervins*, in the year 1598.

We, for these Causes, and other good Considerations us thereunto moving, command and order you, by these Presents, sign'd with our Hand, that forthwith, and without any delay, you do present our said Letters, and the aforesaid Treaties, to our said Court of Parliament, to make the necessary Suit and Requisitions for the speedy Publication and Registration thereof, without any Hinderance, and to submit your self, in our Name, to the Observation of all the things contain'd in the aforesaid Treaties; for doing whereof we give you Power, Authority, Commission, and special and irrevocable Command by these Presents aforesaid. For such is our Pleasure. Given at *Vincennes* the 21st day of *July*, the year of Grace 1660. and of our Reign the Eighteenth. Sign'd *Lewis*. And lower, by the King's Command, *De Guenegaud*.

Read,

Extract of the Records of Parliament. 17

Read, publish'd and enregister'd, having heard concerning the same the King's Attorney General, and at his Requisition, to be executed according to the Form and Tenour thereof. At *Paris*, in the Parliament, the 27th day of *July*, 1660. Sign'd, *Du Tillet*.

Extracted out of the Records of Parliament.

SEEN by the Court, all the Chambers being assembled.—After having seen, during two Mornings, the King's Letters Patent, given at *Vincennes* the 21st of this present month of *July*, sign'd *Lewis*, and lower, by the King's Command, *De Guenegaud*, and seal'd with the Great Seal of yellow Wax, directed to his Attorney General: by which the said Lord the King, willing that the Treaty of Peace, and that of his Marriage, concluded between him and the Catholick King, by the Ministry and Interposition of the Sieurs the Cardinal *Mazarine* for that Effect, deputed on the part of the said Lord the King, and of *Don Lewis Mendez de Haro*, Count Duke of *Carpio* and *Olivarez*, first Minister and Plenipotentiary of *Spain*, by virtue of the Powers to them given for that effect; together with the other Acts inserted at the end of the said Treaties, should be publish'd and enregister'd in the said Court, in the form observ'd at the Treaty of *Vervins* in 1598. Having for these Causes commanded and order'd the said Attorney General to present to the said Court the aforesaid Treaties of Peace and Marriage; the said Letters Patent, and Letters of the Signet of the said 21st of *July*, directed to the said Court, for the Registration and Publication of the said Treaties of Peace and Marriage therein, with Command therefore approv'd to the said Attorney General, to make, at the Exhibition thereof, all the Suits and Requisitions necessary in such Cases, and to submit himself, in the name of the said Lord, to the Observation and Execution of all the things contain'd therein; the Letters Patent directed to the said Court, for the Publication and Registration of the said Treaties of Peace and Marriage, and other Deeds inserted at the end thereof; with Command to cause the same to be maintain'd, kept and observ'd inviolably, according to

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their

their Form and Tenour, without contravening or suffering any Contravention thereunto in any manner; compelling, and causing to be compel'd all Persons whom it shall concern, to the Observation of the Points and Articles contain'd in the said Treaties, by all due means, and usual in such Cases; notwithstanding all Edicts, Ordinances, Customs, as well general as local, Restrictions, Mandates and Prohibitions whatsoever, contrary thereunto: From which, in regard to the said Treaties, it is derogated by the said Letters, in which are inserted the said Treaty of Peace made between the two Crowns by the said Plenipotentiaries, sign'd by them in the *Ile of Pheasants*, the 7th of *Novemb.* 1659. with the Powers given to them; to wit, by the said Lord the King to the said *Sieur Cardinal Mazarine*, by Letters Patent given at *Paris* the 10th of *May*, 1659. and to the said *Don Lewis de Haro*, by the Catholick King, by other Letters given at *Madrid* the 5th of *July* of the same year; the Ratifications of the said Treaties made by the two Kings the 24th of *November* and *December*, 1659. the Letters Patent given at *St. John de Luz* the 1st of *June*, 1660. containing the Articles agreed on, in explication of the 42d Article of the said Treaty; and the Ratification made of the said Articles of Interpretation, as the said Plenipotentiaries had agreed and settled them the 31st of *May*, 1660. together with the Contract of Marriage of the said Lord the King, with the most Serene Infanta the Lady *Maria Theresa*, eldest Daughter of the said Catholick King, made by the said *Sieur Cardinal Mazarine*, in the name and in quality of Deputy of the said Lord the King on one part, and the said *Don Lewis de Haro*, before *Pedro Colonna*, Secretary of State, the Catholick King's Scribe and Notary, the said 7th day of *November*, 1659. in presence of the Witnesses therein-mention'd. At the end of which are inserted the Powers given by the two Kings to the said *Sieurs Plenipotentiaries*, for effectuating the said Contract of Marriage, by the King's Letters Patent given at *Paris* the 21st of *June*, 1659. and the Catholick King's of the 5th of *July* in the same year; with the Ratifications made in consequence by the two Kings, of the said Contract of Marriage of the 14th of *November*, and 10th of *December*, 1659. the Conclusions of the King's said Attorney General.

Commission to betroth the Infanta of Spain. 19

ral. The Matter being taken into Deliberation, the said Court has order'd, and does order the said Letters, Treaty of Peace, Contract of Marriage, and other Deeds inserted therein, to be enroll'd in the Registry (or Office of Records) of the said Court, to be read, publish'd and executed according to their Form and Tenour; and that collated Copies of the said Treaty of Peace shall be sent to the Bailiwicks and Seneschalships of the Jurisdiction, there to be likewise read, publish'd, register'd and executed, according to the Form and Tenour thereof. Of which the Substitutes of the King's said Attorney General, are enjoin'd to certify the Court within a month. Done in Parliament the 27th of July, 1667. Sign'd, *Du Tillet.*

The Commission given by the most Christian King to Don Lewis de Haro, to betroth and espouse the most Serene Infanta of Spain, in his Majesty's Name.

LEWIS, by the Grace of God, King of *France* and *Navarre*. To our most dear and well-beloved Cousin, *Don Lewis Mendez de Haro and Guzman*, Marquis of *Carpio*, Count Duke of *Olivarez*, perpetual Governor of the Royal Palaces and Arsenal of the City of *Seville*, perpetual Grand Chancellor of the *Indies*, of the Catholick King's Council of State, Great Commander of the Order of *Alcantara*, Gentleman of the said King's Bedchamber, and his Master of the Horse, Greeting. By the first Article of the Treaty of Marriage, concluded and agreed between us and the most Serene Infanta of *Spain*, *Donna Maria Theresa*, by our common Plenipotentiaries for the Treaty of Peace, and the Business of the Marriage, sign'd in the Isle call'd, *The Isle of Pheasants*, in the River of *Bidassoa*, on the Confines of the two Kingdoms, the 7th day of *November*, 1659. it is granted and agreed, that with the Grace and Blessing of God, and upon condition of obtaining a Dispensation from our Holy Father the Pope, by reason of the Degrees of Kindred and Consanguinity between us and the said most Serene Infanta, our Espousals and Marriage

20 Commission to betroth the Infanta of Spain.

shall be made and celebrated, by the word of one present, in the Form, and with the Solemnities ordain'd by the sacred Canons and Constitutions of the Holy Catholick, Apostolick and *Roman* Church; and that the Solemnity of the said Marriage, by the word of one present, shall be perform'd in the Court and Palace of the said Catholick King, where the said most Serene Infanta Donna *Maria Theresa* is. In order whereto, for accomplishing the Contents of the said Article, and according to it, betrothing and espousing the said most Serene Infanta in our name, by the word of one present, it is necessary to make choice of some notable Lord of Quality, fuitable to an Act so honourable and important to our Dignity and common Satisfaction. For these Causes, fully confiding in your Capacity, Sufficiency, Integrity, Prudence, Experience, and particular Desire for our Satisfaction aforesaid, with the Advice and prudent Counsel of the Queen our most honour'd Lady and Mother, of our most dear and most beloved only Brother the Duke of *Anjou*, of the Princes and Officers of our Crown, and the principal Lords of our Council, we have commission'd, order'd and deputed you, and do commission, order and depute you, by these Presents, sign'd with our Hand, and by virtue thereof in our Name, to betroth and espouse by words in Presence, in the face of the Holy Church, in the Form and with the Solemnities contain'd in the Holy Decrees thereof, the said most Serene Infanta Donna *Maria Theresa*. And for the Solemnity and Celebration of the said Marriage, to give the necessary Faith and Word of Proxy, in the same manner as we would and might do, if we were there personally present. Promising upon the faith and word of a King, to ratify personally all that shall be said, done and promis'd by you on that occasion, when the said most Serene Infanta Donna *Maria Theresa* shall be near us, in the manner, and within the time agreed and promis'd by the said Treaty of Marriage. For doing whereof we have given, and do give you full Power, Ability and Authority, Commission and special Command: For such is our Pleasure. Given at the
day of the year of
Grace, 1659. and of our Reign the Seventeenth. Sign'd,
Lewis

Lewis. And lower, by the King's Command, *De Lomenie*, and seal'd with the Great Seal of yellow Wax.

A verbal Process of the Oath made by the most Christian King of France and Navarre, to observe the Peace concluded between the two Crowns, the 6th of June, 1660.

THE most High, most Excellent, and most Mighty Prince, the King our Sovereign Lord, and the most High, most Excellent, and most Mighty Prince the Catholick King of *Spain*, being advanc'd to the *Pyrenees* on the Frontiers of their Kingdoms, upon the occasion of the Marriage of the King our said Lord, with the most Serene Infanta of *Spain*, *Maria Theresa*: Their Majesties desiring to render more solemn and authentick the Act (or Ceremony) of the Oath they are oblig'd to take respectively, for the Observation and Accomplishment of the Treaty of Peace, concluded and sign'd the 7th of *November* last; instead of sending and deputing Persons on either side to be Witnesses of the taking of the said Oath, having resolv'd to do it publicly, in the Presence of each other, in the House built for the Interview between their Majesties, in the Isle call'd *The Isle of Pheasants*, in the River of *Bidassoa*. For the performance whereof their said Majesties transported themselves into the said House, the 6th of this present month of *June*; where, in presence of us *Lewis Phelypeaux*, *Sieur de la Brilliere*, Count of *Florentine*, Baron of *Heruif* and of *Chateaufneuf* upon the *Loire*, Commander of two of the King's Orders; *Henry de Guenegaud*, Lord du *Plessis*, Marquis of *Plancy*, Viscount of *Semoine*, Baron of *St. Just*, also Commander, Keeper of the Seals of the King's said Orders; *Michael le Tellier*, Marquis of *Louvoy*, also Commander of the said Orders; and *Lewis Henry de Lomenie*, Count of *Brienne* and *Montbrun*, Baron of *Pougy*, all Counsellors of the King our aforesaid Lord, in his Councils, Secretaries of State, of his Commands, and of his Finances, his Majesty made and took the Oath which he was oblig'd to make by virtue of the Treaty of Peace; of which the Tenour follows.

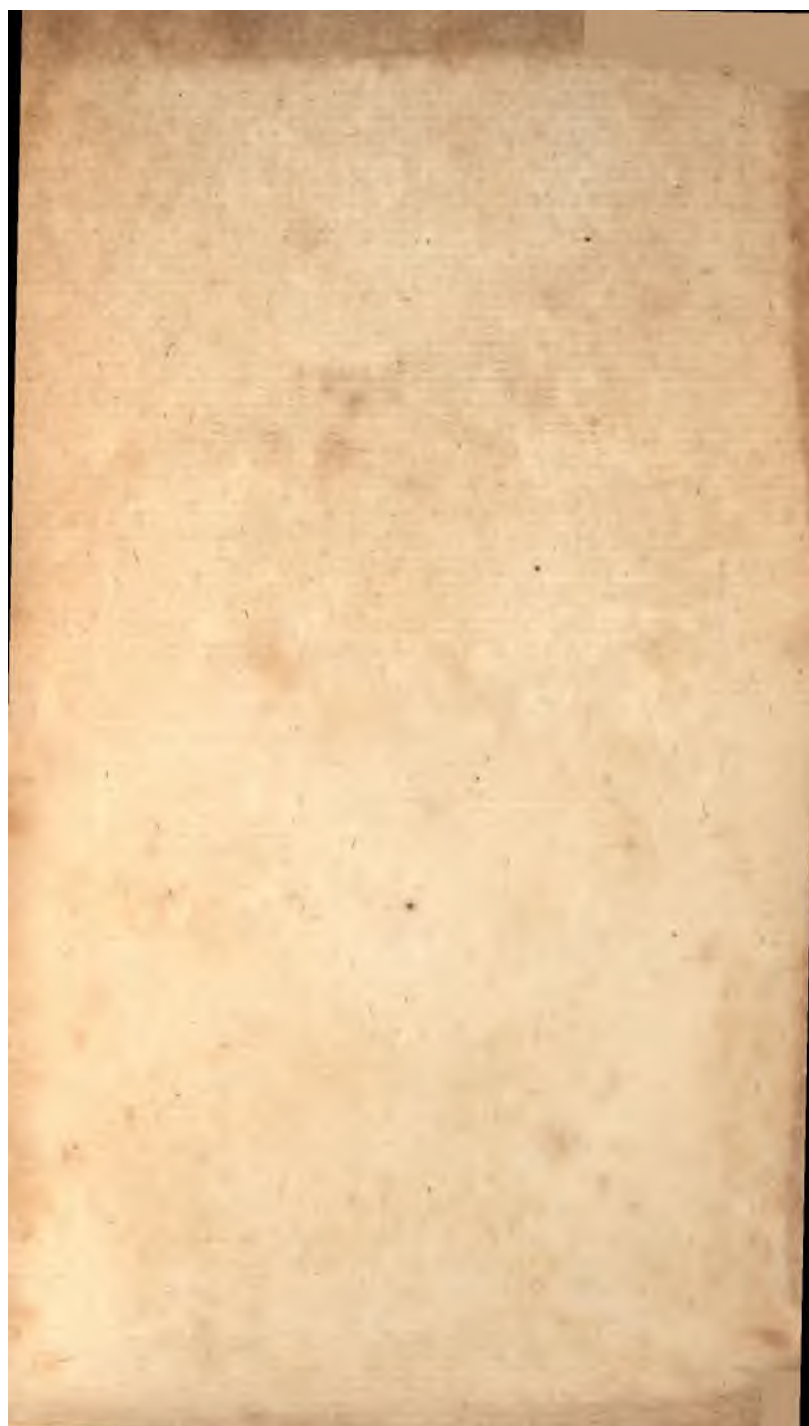
*The Tenour of the most Christian King's Oath,
for the Observation of the Peace and Treaties
with Spain, &c.*

“ **WE LEWIS**, by the Grace of God, most
 “ Christian King of *France* and *Navarre*,
 “ DO PROMISE UPON OUR HONOUR, AND
 “ UPON THE FAITH AND WORD OF A
 “ KING, AND SWEAR UPON THE CROSS,
 “ THE HOLY GOSPELS, AND CANON OF
 “ THE MASS, WHICH FOR THAT END
 “ WE HAVE TOUCH'D, that we shall observe
 “ and fulfil, fully, really and faithfully, all and
 “ every the Points and Articles contain'd in the
 “ Treaty of Peace, Reconciliation and Amity, to-
 “ gether with the secret Articles of the said Trea-
 “ ty, made, concluded and agreed in our Name, by
 “ our most dear and most beloved Cousin the Cardi-
 “ nal *Mazarine*, and by our most dear and well-be-
 “ lov'd Cousin *Don Lewis Mendez de Haro* and *Guz-*
 “ *man*, Duke of *Olivarez*, in the name of the most
 “ High, most Excellent, and most Mighty Prince
 “ *Philip*, also, by the Grace of God, Catholick
 “ King of *Spain*, our most dear and most beloved
 “ good Brother, Uncle and Father-in-law, the 7th
 “ of the month of *November* last, in the Isle call'd
 “ the *Isle of Pheasants*, in the River of *Bidassoa*, on
 “ the Borders of the *Pyrenees*, and since ratify'd by
 “ us on the 24th of *November* following: As also
 “ the Contents of the Article concluded and agreed
 “ on in our Names the 31st of *May* last, in expli-
 “ cation of the 42d Article of the said Treaty of
 “ Peace, likewise ratify'd by us the 1st day of this
 “ present Month. And that we will cause the whole
 “ to be kept, maintain'd and observ'd inviolably on
 “ our part, without ever doing or suffering any
 “ thing to be done to the contrary thereof, in any
 “ way

“ way or manner whatsoever: In Faith and Wit-
 “ nefs whereof we have sign’d these Presents with
 “ our own Hand, and caus’d our Seal to be affix’d
 “ thereunto, in the said Isle call’d *The Isle of Phea-*
 “ *sants*, the 6th day of the Month of *June*, in the
 “ year of Grace 1660. and of our Reign the Eigh-
 “ teenth. Sign’d *Lewis*. And lower, by the King’s
 “ Command, *De Lomenie*, and seal’d.”

At the taking of which Oath were present and assis-
 ted the most High, most Excellent and most Mighty
 Princess *Anne*, by the Grace of God, Queen of *France*
 and *Navarre*, the King’s Mother; Monseigneur the
 King’s only Brother; Monsieur the Cardinal *Mazarine*,
 holding the Book of the Holy Gospels, upon which his Maje-
 sty’s Hands were laid; Monsieur the Prince of *Conti*,
 Prince of the Blood, Peer of *France*, Governor and
 Lieutenant-General for his Majesty in his Province of
Languedoc, and several Princes, Dukes, Peers and Maref-
 chals of *France*, and other Officers of the Crown, great
 and notable Personages of his Council. In witness
 whereof, and by his Majesty’s Commands, we have
 sign’d these Presents with our Hands, in the said *Isle of*
Pheasants, the said 6th day of *June* 1660. Sign’d, *Phe-*
lippeaux, *De Guenegaud*, *Le Tellier*, and *De Lomenie*.





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